United Nations A/ES-10/PV.1

General Assembly
Tenth Emergency Special Session

Official Records

1st plenary meeting
Thursday, 24 April 1997, 10 a.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 10.20 a.m.

Item 1 of the provisional agenda

Opening of the session by the Chairman of the delegation of Malaysia

The President: I declare open the tenth emergency special session of the General Assembly.

In connection with this emergency special session, a note by the Secretary-General on the convening of the special session has been circulated in document A/ES-10/1.

Item 2 of the provisional agenda

Minute of silent prayer or meditation

The President: I now invite representatives to stand and observe a minute of silent prayer or meditation.

The members of the General Assembly observed one minute of silent prayer or meditation.

Organization of work

The President: With the permission of members, I should like to draw the Assembly's attention to rule 63, which states:

"Notwithstanding the provisions of any other rule and unless the General Assembly decides otherwise, the Assembly, in case of an emergency special session, shall convene in plenary meeting only and proceed directly to consider the item proposed for consideration in the request for the holding of the session, without previous reference to the General Committee or to any other committee; the President and Vice-Presidents for such emergency special sessions shall be, respectively, the chairmen of those delegations from which were elected the President and Vice-Presidents of the previous session."

I shall repeat the first part of that rule:

"Notwithstanding the provisions of any other rule and unless the General Assembly decides otherwise...".

If there is no objection, I shall take it that the General Assembly will proceed in accordance with that rule.

It was so decided.

The President: I am sure I can rely on the assistance of the Vice-Presidents in the exercise of my duties during the present session.

97-85465 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Scale of assessments for the apportionment of the expenses of the United Nations

The President: Before turning to the next item on the agenda, I should like, in keeping with established practice, to invite the attention of the General Assembly to document A/ES-10/3, which contains a letter addressed to me by the Secretary-General, informing the Assembly that 26 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I should like to remind delegations that under Article 19 of the Charter a member of the United Nations which is in arrears in payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Item 3 of the provisional agenda

Credentials of representatives to the tenth emergency special session of the General Assembly

(a) Appointment of the members of the Credentials Committee

(b) Report of the Credentials Committee

The President: We shall now proceed to the appointment of a Credentials Committee, as provided for in rule 28 of the rules of procedure.

With a view to expediting the work of the emergency special session and in accordance with precedents, it might be appropriate if the Credentials Committee were to consist of those members which served during the fifty-first regular session, namely, China, the Dominican Republic, Gabon, the Netherlands, Paraguay, the Philippines, the Russian Federation, Sierra Leone and the United States of America.

If there is no objection, I shall consider the Credentials Committee constituted accordingly.

It was so decided.

The President: I should like to point out that the Secretary-General, in his note convening this emergency special session, indicated that credentials for those representatives who are not already authorized to represent their Governments at all sessions of the General Assembly should be issued in accordance with rule 27 of the rules of procedure and may be presented by facsimile or by cable.

Item 4 of the provisional agenda

Adoption of the agenda

The President: The provisional agenda is contained in document A/ES-10/2.

The agenda was adopted.

The President: Mr. Secretary-General, representatives, I thank you for your decision to ask me to preside.

This emergency special session of the General Assembly reflects the conviction of the membership that there exists an increasingly grave situation involving peace and security. In the past two months, the Security Council twice held extensive discussions, and the General Assembly once, on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories. For the second time, the issue has been placed before the General Assembly. The discussions in the Security Council have proved to be inconclusive, since it has been unable to take action because of lack of unanimity of its permanent Members.

The convening of this session, which is being held in accordance with the provisions of General Assembly resolution 377 (V) of 3 November 1950, entitled "Uniting for Peace", at the request of a Member State and with the concurrence of a large majority of Members, demonstrates clearly their gravest concern and awareness of the implications of the present situation.

The maintenance of international peace and security is certainly a matter of concern to all States as well as people. A threat to peace and security in any part of the world has a direct bearing on universal peace and security. No nation or group of nations can claim immunity from such developments. It is therefore appropriate that the General Assembly, given that the Security Council has not been able to take action due to

the lack of unanimity of its permanent members, be the universal assembly to address the issue effectively.

I have referred to the obligation placed upon this Organization to act in the face of this crisis. Permit me to recall here that there are certain obligations which affect us all: there is the obligation assumed by each Member State under the Charter to ensure that international peace, security and justice shall not be endangered; and there is the obligation, shared by all Members, to respect the decisions of this Organization.

This emergency special session of the General Assembly underlines the resolve of Members to seek recourse in the General Assembly to resolve the issue with all peaceful means, fearful of grave consequences in the event the issue has not been satisfactorily resolved. It is not being conducted with rancour or acrimony, but in an effort to eliminate tension and to protect and save the peace process at this critical juncture. Our meeting today and tomorrow underscores the important role of the General Assembly and its concomitant responsibility in the maintenance of international peace and security.

Agenda item 5

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The President: Before calling on the first speaker, I should like to propose that the list of speakers be closed at 4 p.m. this afternoon. May I take it that the Assembly agrees to this proposal?

It was so decided.

The President: I therefore request delegations that wish to participate in the debate but have not yet inscribed their names on the list of speakers to do so as soon as possible.

In accordance with General Assembly resolutions 3237 (XXIX), of 22 November 1974, and 43/177, of 15 December 1988, I now call on the Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): Yes, uniting for peace. Uniting against the violation of international law and United Nations resolutions. Uniting to confront the arrogance of power and the mentality of occupation. Uniting to oppose misuse of the veto and attempts to neutralize the Security Council. Uniting in order to rescue the Middle East peace process. Yes, uniting for a just solution to the question of Palestine and the establishment of a just, lasting and comprehensive peace in the region.

Allow me to extend to you, Sir, our gratitude and our highest consideration. Allow me also especially to thank His Excellency Mr. Kofi Annan, Secretary-General of the United Nations, for his valuable efforts and his wise leadership. I should like also to convey, on behalf of the Palestinian people and their leadership, our sincerest thanks and appreciation to our Arab and Islamic brethren and the fraternal members of the Non-Aligned Movement, as well as to all those who have extended their support, enabling the international community to take such a firm stance and enabling the General Assembly and the Member States to carry out their responsibilities to confront the continuing illegal actions by Israel, the occupying Power, which threaten the Middle East peace process and hence threaten international peace and security.

We strongly hope that the General Assembly, at this tenth emergency special session, will adopt the necessary recommendations for Member States to take appropriate collective measures to guarantee respect for international law, contractual obligations and the relevant United Nations resolutions, in accordance with the Charter of the United Nations.

The Middle East peace process heralded an end to a long era of conflict and became the harbinger of a promising future for the region and its peoples. The famous handshake on the lawn of the White House in 1993 became a symbol of a new hope and of the ability to achieve the peace of the brave. This peace was pursued on the basis of the mutual recognition of the legitimate rights of both peoples and their desire to live in peaceful coexistence and mutual dignity and security and to achieve a just, lasting and comprehensive peace settlement and a historic reconciliation through the agreed political process. These are the words of the Declaration of Principles, which also stated that the permanent settlement must be based on Security Council resolutions 242 (1967) and 338 (1973).

It was on this basis, and within this context, that the two sides agreed on a transitional period of five years for interim self-government arrangements and also agreed to postpone negotiations on a number of important issues, including the future of Jerusalem and the settlements, until a time not later than the beginning of the third year of negotiations.

This is the agreement that led to the significant changes we have witnessed in our region and in the world. Israel has gained great benefits as a result, and the Palestinian side began to accomplish some goals, most important of which was the holding of a democratic general election for the Palestinian National Authority and its President. The process continued and endured numerous difficulties and problems, some of which were expected but which were overcome through the general commitment of both parties to fulfil their contractual obligations under the Declaration of Principles of 1993 and the Interim Agreement of 1995.

Then the current Israeli Government came to power, adopting basic political guidelines that contradicted the agreements signed, and a regression to the mentality of the occupier overwhelmed the dealings between both parties. The Government has fervently pursued the continuation of settlement activities and the Judaization of occupied East Jerusalem. The situation has thus deteriorated dramatically. The only exception to this trend of reversal of the peace process was the conclusion of the agreement on, and the redeployment in, Hebron on 17 January 1997. This agreement was the result of a long and intense American effort. It was, however, followed by a series of dangerous Israeli actions, constituting a direct threat to the peace process as a whole and to its actual continuation. The most dangerous of such actions has been the commencement of construction of a new settlement in Jabal Abu Ghneim, to the south of occupied East Jerusalem, intended to absorb approximately 25,000 new colonial settlers. Prior to, and following this, there have been many other dangerous steps taken, such as the opening of the tunnel adjacent to Al-Haram Al-Sharif and the attempt to redeploy from only an additional 2 per cent of the West Bank.

Three years after the peace process began, the Palestinian people, along with the Arab people, look and see that the promised benefits of peace have not been realized, that the commitments of the interim period have not been fulfilled and, worse, that the very bases of the peace process are being eroded.

The Palestinian people look and see the drastic deterioration of their national economy and the decline in their living conditions as a result of the policies of the Israeli Government, which persist in keeping the Palestinian market hostage and in preventing any viable development of the Palestinian economy, in violation of the economic part of the agreement. They see that Government using all means, the ugliest of which is the enforcement of siege and closure, to prevent the freedom of movement of persons and goods, not only between the Palestinian territory and Israel, under the pretext of Israeli security requirements, but also within the Palestinian territory itself and between it and the outside world.

Our people look and see that the most important purposes and commitments of the transitional period have not been fulfilled. Since our people have not been able, through their national authority, to control all aspects of their lives, they continue to endure many obstacles and hardships that are imposed and intensified by the occupation authority. The most important provisions agreed upon have yet to be implemented. These include the safe passage between the West Bank and the Gaza Strip, the operation of the airport and the building of the port, and the return of hundreds of thousands of Palestinians displaced since 1967. All of these provisions were to be implemented during the interim period.

Our people look and see flagrant violations of the bases and essence of the peace process. They see the continued confiscation of their land, the exploitation of their natural resources and the continuing transfer of more colonial settlers. They see daily actions, taken unilaterally and imposed by force, aimed at creating new facts on the ground, pre-empting future negotiations and predetermining the outcome. Above all, they have been subject to the humiliation of their religious beliefs and disdain for their deep national convictions by the incessant and vicious Israeli campaign to take over Jerusalem. The bulldozers of Israel, the occupying Power, began to destroy Jabal Abu Ghneim to build ugly colonial buildings, isolating the Arab quarters of Jerusalem and suffocating the eternal city of Bethlehem, as well as undermining its commemoration of the third millennium.

What, then, is left of the peace process? What is left of the mutual recognition and historic reconciliation, and how can peaceful coexistence be achieved? Not only do all of Israel's policies and actions represent violations of international law and of the relevant Security Council resolutions and the existing agreements between the two sides, they also represent the practical abandonment of the peace process and a declaration of the resumption of occupation.

Our people thus have the right to be angry. It is the right of the Arab nation to be angry. It is the right of the whole world to be angry. It is our right to oppose what is happening. It is our right to demand an immediate halt to such Israeli policies and actions and, in case of non-

compliance, to demand from the international community the imposition of punishment, albeit in initial steps. It is our right and our duty to complain to the Security Council, and it is the duty of the Security Council to respond. We will continue to do so as long as this situation continues, and we expect the Council to fulfil its responsibilities in accordance with the Charter of the United Nations.

It is our right and, indeed, our duty to come before the General Assembly at an emergency special session, as well as at its regular sessions, and all other international forums. The subject is of paramount importance, and it does require all of this. It is the present and the future of our people; indeed, it is the present and the future of the whole region.

It is also the right of our people to take to the streets of their besieged towns and villages to express their collective rejection of the Israeli actions and their determination to defend their land. It is regrettable that the absence of justice in our region forces us to say that it is at least their right to shout and to use their bare hands to confront the Israeli gun and tank. Those who speak of instigation to explain the reactions of the Palestinian people, and those who describe the collective expressions against Israeli actions as Palestinian violence, either do not comprehend or have bad intentions bordering on racism and hatred. It is the Israeli Government that bears total responsibility for all the suffering and for every drop of blood spilled as the people confront the occupation army because of it policies and actions.

The bombings and acts of terror, from whatever source, are a different issue. We have an established policy in this regard, which was confirmed by the strategic decision to accept the peace process. We suffered from such acts when they were committed by Israelis against our people, and they harmed our national interests when they were committed by Palestinians against Israelis. We have condemned these acts and acted against them, and we will continue to resist them. Nevertheless, we are convinced that the complete elimination of these acts requires real progress on both the political and economic levels, and not only on the security level. A culture of peace and an environment of coexistence are the antithesis of violence and terrorism, and they who make no serious contribution to the building of peace and coexistence should bear greater responsibility for the consequences.

As we witness the grave deterioration of the situation in the occupied Palestinian territory, including Jerusalem, and in the Middle East region as a whole as a result of Israeli policies and actions, new ideas are being proposed to us which call for setting aside the existing agreements, moving to the final settlement negotiations and completing them in a specified time-frame, as though the existing agreements did not cover the final settlement negotiations. We warn of the dangers of attempting to shirk the existing contractual obligations, an attempt that we will never accept.

The right path is the implementation of the existing agreements, including, of course, the implementation of all overdue provisions and future obligations. The right path is the acceleration of the negotiations for the final settlement within the framework of the existing agreements and the reaffirmation of compliance with those agreements.

We affirm that we are still committed to the peace process and the agreements reached between the parties within its framework. We are still ready to continue implementing our obligations in this regard. We are fully aware, however, of the real threats facing the process from the Israeli side, and thwarting these threats requires extraordinary efforts by the sponsors of the peace process and by the international community as a whole.

In any case, we will not accept Israel's continuation of its illegal actions under the cover of the peace process, and if Israel continues its settlement activities and the Judaization of Jerusalem, we will have no other option but to continue with the state of political confrontation on this issue at all levels.

Since its occupation in 1967 of Palestinian territory, including Jerusalem, Israel has, over the years and in a systematic and planned manner, worked to change the legal status and demographic composition of Jerusalem and the demographic composition of the occupied Palestinian territory as a whole through the colonial settlement of the land. This has been done in flagrant violation of the Fourth Geneva Convention of 1949 and the Hague Rules of 1907, and in blatant defiance of relevant Security Council resolutions. In 24 of those resolutions the Security Council affirmed the applicability of the Geneva Conventions to all the occupied territories, including Jerusalem; this was reaffirmed in many resolutions of the General Assembly and other United Nations organs. It has been done also in spite of the position taken by every one of the countries represented here against such measures.

In Jerusalem, immediately after its occupation, Israel demolished the Al-Magharba quarter in the Old City and built a Jewish quarter in its place. It arbitrarily expanded the boundaries of the municipality of East Jerusalem to more than 10 times the original area, to include lands totalling approximately 7,000 hectares. It declared the applicability of Israeli law in these lands. Later, in 1980, it declared the annexation of this land. Throughout the years, Israel has confiscated about 74 per cent of the annexed lands, in practice leaving only 14 per cent for the Palestinians. It has built nine colonial settlements and brought in 180,000 Jewish colonial settlers.

From the very start, Israel considered Palestinian Jerusalemites as foreigners and issued them so-called permanent residence permits. Those Palestinians, now numbering approximately 180,000, were compelled to pay all Israeli taxes, and received no services in return. They were systematically subjected to a slow campaign of eviction, which recently intensified, to force them to leave the city of their ancestors. In the last few years, Israel has isolated East Jerusalem from the rest of the West Bank despite the fact that the city is the religious, economic and cultural centre of the Palestinian people.

The Security Council rejected each of these Israeli actions, as did the General Assembly, which adopted very clear resolutions in this regard. Yet all of this has continued to take place despite the fact that there is not one single nation that has recognized Israeli sovereignty over West Jerusalem, not to mention over East Jerusalem.

All of this has taken place in the Holy City of the three monotheistic religions, the first kiblah and the third of the Holy Sanctuaries where the Prophet Mohammed ascended on his night journey, and the burial place of Jesus. Jerusalem is the crux of the question of Palestine. It is the key to peace and to war in the region.

Israel has also imposed its colonial settlement system throughout all of the occupied territories; this is a distinct system combining colonialism and apartheid-like arrangements. It is a system involving many dimensions, including the transfer of citizens of the occupying Power to the occupied territories, the illegal acquisition of lands and the theft of available natural resources, as well as the establishment of a structure of life separate from that of the indigenous population.

Throughout the years, the Israelis have built 166 colonial settlements aside from the ones built in Jerusalem, and have brought in 150,000 colonial settlers. All of this was done despite many Security Council and General Assembly resolutions opposing such acts.

All of these horrible acts have been committed against the will of the international community. Somehow Israel has succeeded in acquiring protection for itself from the provisions of the Charter of the United Nations and international law, particularly the provisions of the Fourth Geneva Convention. This happened despite the clearness of its goals, which have, of course, been the colonization of the land, the isolation of the rightful owners of the land in separate cantons and the prevention of the realization of the inalienable rights of our people, including their right to establish an independent State of their own. But then came the peace process and its agreements, which are binding on the two sides.

The world, which bears guilt because of its failure to halt Israeli actions, especially with regard to Jerusalem and the colonial settlements, before the peace process, should not allow this to continue, at least not in the era of the peace process.

We must succeed in achieving this, because so much is dependent upon that success. There must be collective measures within the meaning of General Assembly resolution 377 (V), which will at least guarantee the prohibition of assistance to those who violate international law, preventing them from receiving finances and rewards. The provisions of articles 1 and 148 of the Fourth Geneva Convention should be implemented. The United Nations and the Secretary-General should become engaged in observing the situation.

All of this should lead to the immediate cessation of the construction in Jabal Abu Ghneim and of all other settlement activities. It is the continuation of this illegal construction that has brought us here today, and our goal is to stop it. Our collective success in achieving this during the tenth emergency special session of the General Assembly will be a success for justice and peace and an impetus to work for a better future in the Middle East.

Mr. Peleg (Israel): On 31 March, the Permanent Representative of Qatar, on behalf of the Arab Group, requested the Secretary-General to convene an emergency special session of the General Assembly in accordance with resolution 377 (V), entitled "Uniting for peace", in order to discuss the decision of the Government of Israel to provide housing for Arab and Jewish residents of Jerusalem. The letter expressed the belief that the

Government of Israel's decision was "a threat to international peace and security" (*A/ES-10/1, annex*).

The dispute between Israel and the Palestinians over the building of a new neighbourhood in Jerusalem, and any other dispute that may arise between the two sides, cannot be considered by any stretch of the imagination as a "threat to international peace and security". Furthermore, no determination has been made, during two meetings of the Security Council, that this dispute constitutes a "threat to international peace and security", nor has the Security Council called for the convening of an emergency special session of the General Assembly.

It is also worth noting that the procedure of the emergency special session has not been activated for the last 15 years. It is a relic of the cold war era, and is particularly unsuited and discordant in the context of the peace process between Israel and the Palestinians.

It has now been three and a half weeks since the emergency request. I trust that this has been sufficient time for the Member States to ponder the justness and urgency of this request. Now that this emergency session has finally been convened, the question is, was this session really necessary? And how will it influence the Middle East peace process?

After all, five United Nations meetings in the last month have already dealt with the issue of housing construction in the planned Har Homa neighbourhood, two in the Security Council and three in the General Assembly. What contribution can another session make? An emergency special session would not only fail to advance mutual understanding, but it could become a source of further polarization. Unfortunately, as we have seen all too often, words can bring in their wake deeds that cannot be redressed.

This week, Israel mourns the death of Chaim Herzog, our sixth President and a former Permanent Representative of Israel to the United Nations. Herzog served Israel when this body passed its infamous resolution equating Zionism with racism. We had thought that those days were over, but the continuous singling out of Israel by United Nations resolutions has taken us back to that dark era.

In a world plagued by a multitude of conflicts and tragedies, where the question of the Great Lakes region is far from being resolved, and in a week when hundreds of innocent Algerians, including women and children, have been slaughtered in cold blood, must the issue of building in Jerusalem be at the top of the United Nations agenda?

This session is being convened as a cloud of uncertainty hangs over the peace process, and recommendations by Arab Foreign Ministers to freeze normalization with Israel can be heard. Although this atmosphere threatens to return us all to the era prior to the inception of the Middle East peace process, I wish to reiterate here that Israel has chosen the path of peace of its own free will. We are committed to achieving a permanent and comprehensive peace for the Middle East. The entire nation of Israel stands united in its desire for peace. This needs no proof.

From its first days in office, the Government of Israel has taken great pains to open channels of communication with the Palestinians and to develop practical methods to advance our negotiations, at first regarding implementation of the Interim Agreement, and later regarding the permanent status negotiation.

On 17 January, the Government of Israel and the Palestinian Authority signed the Hebron Protocol. In addition to providing for the redeployment of the Israeli Defence Forces, this agreement created timetables for the further redeployment of the Israeli Defence Forces in the West Bank and for the resumption of the permanent status negotiations. In March, the Government of Israel approved the plan for the first further redeployment in the West Bank. In addition, all female Palestinian prisoners were released from Israeli jails, and nine committees were formed to discuss all outstanding issues, including the construction of an airport and seaport in Gaza and the issue of safe passage. Further steps were undertaken to address the economic situation in the West Bank and the Gaza Strip, including raising the number of Palestinians allowed to work in Israel to 70,000.

Our sincere hope was, and still is, that the Hebron Protocol and the subsequent steps will increase mutual trust and create an atmosphere conducive to advancing the peace process. The decision of the Government of Israel to build in Har Homa, an area within the municipal boundaries of Jerusalem, where 75 per cent of the land is Jewish-owned, does not in any way violate any of the agreements with the Palestinians, under which, pending the conclusion of the permanent status negotiations, the Palestinian Authority does not have any standing in the city of Jerusalem.

Unfortunately, the importance of every step taken by Israel in accordance with our commitments was marginalized and minimized, while vociferous demands for further Israeli concessions were increased. Instead of continuing the peace process, the Palestinians have embarked on a regional and international campaign to exert pressure and isolate Israel if we do not accept all Palestinian positions.

The choice of peace is the choice of life. The dawn of peace will be the realization of the dreams, prayers and hopes of all Israelis. For our part, Israel will spare no effort to reach a true peace for us and for our neighbours. This commitment is irreversible. It must be clear to all that the path of peace runs in only one direction. There is no turning back. There is no alternative.

There can be no meaningful peace while terrorism reigns. The Palestinians' fight against terrorism should be total, uncompromising and comprehensive. While no one can expect 100 per cent success in this fight, one can expect 100 per cent effort. The Palestinians' fight against terrorism is neither a reward nor a concession to Israel. It is the duty and obligation that they took upon themselves when they chose to embark on the path of negotiation and peace. We are hopeful that the Palestinian Authority will take the necessary measures in its fight against terrorism and return to the negotiations on the permanent status, rather than avoiding negotiations and adopting methods intended to pressure and isolate Israel.

The Palestinians have made a commitment to refrain from incitement. Unfortunately, they are not keeping this commitment. Today, from this rostrum, the Palestinian Observer said the following:

> "It is at least their right to shout and to use their bare hands to confront the Israeli gun and tank." (*supra, p. 5*)

This is a clear incitement to violence. And let me say here very clearly that the declared commitment of the Palestinians against terrorism is meaningless as long as their incitement to violence continues.

This session has been convened to discuss the issue of Jerusalem. For more than 3,000 years, Jerusalem has been the focal point of the Jewish people. Not only in ancient times when the Holy Temple stood on Mount Moriah, but during the 2,000 years of Jewish exile from the land of Israel and to this very day. Jerusalem, which has never been the capital of any nation other than Israel, will always be the heart and soul of the Jewish people.

As a native of Jerusalem, I am proud to say that Israel has never used Jerusalem's unique status and special role within Judaism to denigrate other religious interests in holy places within the city. On the contrary, it has always been Israel's policy to foster the ethnic and religious mosaic that is Jerusalem. Israel has undertaken to guarantee freedom of worship, pilgrimage and other aspects of religious life in areas under its control. This is a concrete expression of Israel's unwavering commitment to religious freedom, which was enshrined in Israel's Declaration of Independence and continues to this day.

The issue of Jerusalem will be discussed within the context of the permanent status negotiations between Israel and the Palestinians. We hope and trust that the development of the city of Jerusalem for the benefit of all its residents will serve as a model for a unified city that guarantees coexistence between its residents, irrespective of their religious beliefs or national origins.

The core of the peace process is direct negotiation. That is the only way to achieve progress and to secure the futures of our children. Let us all unite in promoting the peace process and turn the Middle East from a region of conflict and mistrust into a region of peace and cooperation.

The President: I call on the representative of Senegal, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Ka (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from French*): The Committee on the Exercise of the Inalienable Rights of the Palestinian People deeply regrets the events that have led to the convening of this emergency special session of the General Assembly: Israel's continuing intransigence with regard to the establishment of settlements in the Palestinian territories occupied since 1967, including Jerusalem, and the Security Council's inability to issue a pronouncement on this question, despite the grave implications for peace and security in the region and for the future of the peace process.

Five emergency special sessions of the General Assembly have had to be held over the years to deal with various distressing aspects of the Arab-Israeli conflict in

the Middle East, more than for any other crisis situation that the United Nations has had to deal with since its inception. The last emergency session, the ninth, was held in 1982, at the height of the cold war. It took a whole series of meetings at that emergency special session to deal with the issues raised following increasing repression and a series of bloody incidents in the occupied territories, including those that took place at the Holy Places in Jerusalem, in addition to the Israeli invasion of Lebanon and the evacuation of Palestinian leaders from Beirut.

Those were some of the darkest hours in the Palestinian struggle for the exercise of legitimate national rights, including the right to self-determination and national independence. They were also times of great international tension and fears of a future lurching out of control in a region that had witnessed four destructive wars since the end of the Second World War. The firm resolutions that were adopted by the General Assembly at the time, and the frantic search for peace that followed those events, demonstrated to the intense concern of the international community and its will to spare no effort to achieve a comprehensive, just and lasting settlement of the conflict.

That concern still exists today, while, over the past few years, it seemed that we might achieve the dream of a new international climate of cooperation, with the resolution of long-standing regional conflicts and the unanimous desire of the peoples of the Middle East to establish an era of peace that would bring the bloodshed to an end. The mutual recognition of Israel and the Palestine Liberation Organization in 1993, the signing of the Declaration of Principles and the subsequent withdrawal of Israeli forces from Gaza and some areas of the West Bank, as well as the establishment of an elected Palestinian Authority, were historic milestones along the road to peace that the international community encouraged and nurtured with political and financial support.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People was clearly delighted by those positive developments, which demonstrated to all of us that peace is possible and that serious negotiations between parties, inspired by good faith and mutual respect, can bring about a momentum for peace, even when such negotiations deal with thorny and apparently insoluble issues.

The progress made on the ground to date, such as the withdrawal of Israeli forces from parts of the occupied territories, the establishment of a Palestinian administration and the many areas of cooperation between Palestinians and Israelis, were merely a dream in 1982, if in fact anybody dared have such dreams at that time. Again, the process was very difficult; nobody thought that it would be easy to bury old grievances and conflicting interests. Today, those joint efforts make the progress reached over the past few years seem even more precious. All those important achievements have encouraged the Committee to recommend whatever steps are necessary to prevent extremists on all sides from reducing them to nothing.

It should be noted, however, that those achievements remain extremely fragile, as events have demonstrated time and again. The renewal of tensions and incidents in recent weeks should provide a constant warning and reminder that if we allow the peace process to fail, the entire region will enter a renewed cycle of violence and hatred whose effects might prove impossible to bring under control for several months or longer.

While condemning any resort to violence, particularly against civilians, the Committee wishes to recall that the peace process made progress because both parties accepted the principle of land for peace and of a negotiated solution, in accordance with Security Council resolutions 242 (1967) and 338 (1973), and with the Declaration of Principles of 1993 and subsequent agreements. The international community is united behind this approach, which, on the one hand, recognizes the right of all States of the region, including Israel, to live in peace within secure and internationally recognized boundaries, and, on the other hand, reaffirms the inadmissibility of the acquisition of territory by force, recognizes the legitimate rights and claims of the Palestinian people and provides for negotiations between the parties on the fundamental issues of the conflict: Jerusalem, refugees, settlements, future boundaries and modalities for peaceful cooperation between the peoples of the region. The Committee is convinced that this approach, which has brought about the most significant results in the peace efforts undertaken since 1947, remains the only true means of moving forward and reinforcing the process launched in 1993.

Regrettably, the continuing military occupation by Israeli forces of large areas of Palestinian territory, including Jerusalem, the presence of a large number of armed settlers in the occupied territories, the frequent roadblocks and boundary closures and the serious damage caused to the Palestinian economy — all of them unilateral measures — have a negative impact on the search for a just and peaceful settlement that respects the legitimate rights and claims of all the parties.

The Committee believes that the Israeli Government should above all recognize that the search for peace and justice in the region, with account being taken of Palestinian and Arab claims, cannot, in the final analysis, but be in Israel's interest, as long as that country truly wishes to get along with its neighbours in peaceful coexistence.

History reminds us that peace must always be based on compromise between the parties in order for it to take lasting root in the hearts and minds of people. An imposed peace always bears within it the seeds of future conflict.

It is for these reasons that Committee has strongly deplored the decisions taken by Israel that run counter to these objectives and agreements, in particular the decisions regarding Jerusalem, the settlements and the collective coercive measures, which, instead of reinforcing confidence and promoting reconciliation, create greater difficulties and feed distrust and disillusionment in the peace process.

The Committee has examined those measures in detail and has expressed its opinion, both in its report to the General Assembly and in its Bureau's press releases, as well as in my statements to the Security Council and the General Assembly on various occasions in my capacity as the Chairman of the Committee.

We also believe that the international community, expressing itself through the General Assembly, has not only the right but also the duty to remain closely involved in the various aspects of this issue for which it has a clear responsibility, until the conflict is satisfactorily resolved in accordance with United Nations resolutions and international law. Let us not forget that some 50 years ago it was the General Assembly itself that partitioned Palestine and decided to create two States, one Arab and the other Jewish, constituting an economic union. The General Assembly also declared Jerusalem international territory.

The Committee believes that the international principles embodied in the various resolutions of the General Assembly and the Security Council are still as valid today as they were before, even if history or force has created different realities on the ground. The fact that the parties have decided to engage in direct negotiations does nothing to invalidate these fundamental principles, nor does it negate the international community's obligation to take an interest in the situation in Palestine.

These are the reasons why the Committee on the Exercise of the Inalienable Rights of the Palestinian People has supported the convening of this emergency special session. The Committee sincerely hopes that this session will succeed in bringing an end to the settlement policy and to the other unilateral measures taken by the occupying Power. It especially hopes that it will restore confidence in the region and a climate conducive to the speedy resumption of the negotiations and the peace process, in the interest of peace and mutual understanding among all the peoples of the region.

Mr. Abulhasan (Kuwait) (*interpretation from Arabic*): It is a pleasure for me to express on behalf of the Group of Arab States at the United Nations our profound appreciation to those States that quickly supported the Group's request to convene a special emergency session of the General Assembly within the framework of resolution 377 (V), entitled "Uniting for peace". Without that support it would not have been possible for us to express in the General Assembly Hall the position of the international community in the face of the threats to the peace process in the Middle East resulting from the policies of the Israeli Government.

The Group of Arab States requested this session in order for the General Assembly to examine the Israeli settlement policies in occupied Palestinian territories, especially in East Jerusalem, where the Israeli Government has begun the construction of 6,500 housing units in the district of Jabal Abu Ghneim.

In the framework of the resolution entitled "Uniting for peace" we were compelled to request that this subject be considered in the General Assembly, as the Security Council twice found it impossible to reach a decision that would dissuade and prevent the Israeli Government from taking these measures that undermine the very foundations of the peace process.

The Group of Arab States asked that this session be held following a series of resolutions and decisions adopted by the Organization of the Islamic Conference during the special summit held in Islamabad; by the Committee on Jerusalem, which met in Rabat and was presided over by His Majesty King Hassan II; by the most recent meeting of the Gulf Cooperation Council, which was held in Riyadh; by the meeting of Ministers for Foreign Affairs of the League of Arab States, which was held in Cairo; and by the meeting of Ministers for Foreign Affairs of the Non-Aligned Movement, which was held in New Delhi.

Therefore, the emergency special session being held today by the General Assembly in fact demonstrates the deep concern, not only of the Palestinian people, but of all States that are concerned about the success of the peace process in the Middle East and those States and organizations that hope that this process will have positive results for peace and security in the region and in the world.

This session is being held after the adoption of resolution 51/223 by the General Assembly on 13 March 1997. That resolution warns Israel against continuing the establishment of settlements at Jabal Abu Ghneim. Most of the States that spoke during that meeting unreservedly condemned the settlement activities and demanded that the Israeli Government put an immediate end to its illegal policies and measures in the city of Jerusalem. The same States expressed the hope that the Security Council, the body entrusted with the maintenance of international peace and security, would adopt a resolution compelling Israel to put an end to its plans in that city, which is a sacred symbol for all Arab and Muslim peoples.

The convening of this session, therefore, has serious implications for the peace process. The Arabs, who have irreversibly chosen peace as their option and have made every effort to bring this choice to fruition, reiterate that the Arab Ummah is confronting Israel's defiance with the full support of all the member States of the Organization of the Islamic Conference and of the Non-Aligned Movement.

The Arab Group reiterates also that when the Arab nation — the Arab Ummah — at its June 1996 Cairo Summit decided to choose peace as its strategy, it did so in the light of its unswerving faith in the legitimacy of Arab rights in Palestine, in the Arab Syrian Golan and in southern Lebanon. At that Summit, the Arab leaders reaffirmed that any non-compliance by Israel with its commitments, which form the basis of the peace process, would be a blow to that process whose inevitable repercussions would cause the cycle of tension and violence in the region to resume. The Arab States would then be obliged to reconsider all the steps taken in the direction of Israel, and the Israeli Government would bear full responsibility for the resulting situation.

To safeguard the peace process so that it can achieve its objectives as agreed by the parties concerned and by the international community, a climate of confidence and security must prevail. In addition, certain commitments and measures must be taken that contribute to trust and to communication. These commitments and measures must be mutual and must ensure the transparency of intentions and of policies.

Nonetheless, Israel's policy of building settlements in occupied East Jerusalem as well as in the other occupied territories contravenes all the agreements concluded by the parties concerned and has contributed to a loss of confidence. The credibility of the Israeli approach to a just and lasting peace has suffered, which can lead only to heightened tension and increased violence. If Israel truly wishes to live in security with the Palestinians, it must stop building settlements in East Jerusalem and in all of the other occupied territories, continue the peace negotiations, and allow the Palestinians to build their state, with Jerusalem as its capital.

If Israel wants its borders with Syria to be secure, it must withdraw from all the territories of the occupied Golan. If it wants its borders with Lebanon to be secure, it must withdraw from southern Lebanon. The Israeli Government must understand that its refusal to implement Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) jeopardizes the security of the entire region. It must understand that progress in the peace process depends on Israel's respect for the commitments undertaken and agreed to by the parties. For the peace process to move ahead, Israel must also put an end to its policy of building settlements in East Jerusalem and in all the occupied territories.

It is our hope that this emergency special session will reaffirm the following principles and demands:

First, an immediate and complete halt to the building of the Jabal Abu Ghneim settlement in the southern part of occupied East Jerusalem, as well as all Israeli settlement-building activities. Second, a reaffirmation that all legislative and administrative measures, as well as those measures taken by Israel as an occupying Power, that aim to change the status of Jerusalem are null and void. Third, a request to the parties that are signatories to the fourth Geneva Convention of 1949 that they demand that Israel implement the provisions of article I of that Convention, since Israel is the occupying Power of the occupied territories. Fourth, a reaffirmation that the measures taken by Israel in the territories occupied since 1967 are null and void.

Fifth, the importance of the unity of all the occupied Palestinian territories should be reaffirmed, as should the

freedom of movement of persons and goods, and restrictions on movement from East Jerusalem and towards the city should be eliminated. Sixth, a recommendation should be issued to States to refrain from providing assistance to Israeli public and private institutions conducting settlement activities in the occupied Palestinian territories, including Jerusalem, because this represents a violation of the fourth Geneva Convention of 1949 and of the resolutions of the Security Council and the General Assembly. And seventh, there should be a reaffirmation of the importance of the full implementation of the agreements concluded among the parties and an invitation to the sponsors of the peace process, all parties concerned and the international community to make every effort to relaunch the peace process on all its tracks.

My delegation, on behalf of the Arab Group, invites all Member States to take a stand for peace and ensure that the Israeli Government hears the voice of justice. They can do so by demanding that Israel immediately stop destroying the foundations of peace in the Middle East and that it work together, in good faith, with the other countries of the region to build a genuine peace. For this to become reality, positive action must be taken so that everyone can live in conditions of stability. This means refraining from negative actions that create insecurity and distrust, which bring us back to what should be ancient history.

Mr. Al-Khalifa (Qatar) (*interpretation from Arabic*): My delegation, as Chairman of the Arab Group for the month of March, had the honour to request the convening of this emergency special session of the General Assembly. In this connection, allow me to express to you, Mr. President, our thanks and appreciation for the convening of this session. I would also like to express our gratitude to the Governments and delegations that supported my country's request to hold this emergency special session. Those who believe that it is not within the United Nations competence to deal with the question of the Middle East, and especially with the explosive situation in the occupied Palestinian territories and the serious situation in Muslim Arab Jerusalem, are trying to forget that the State of Israel was created by this international Organization. This contradiction shows intransigence. This international Organization was created expressly to deal with international issues and to maintain international peace and security.

We would not have called for the convening of an emergency special session of the General Assembly if the Security Council had been able to shoulder its responsibility under the Charter of the United Nations, which entrusted it with the responsibility of maintaining international peace and security. However, because of the unfair use of the veto by one of the permanent members of the Security Council, the Council was twice prevented from discharging its responsibilities and duties. That member is a country that was regarded as a fair mediator, but after what happened in the Security Council, the adjective "fair" has become difficult to accept. The unfair use of the veto encouraged the Israeli Government, the occupying Power, to continue its defiance of the international community and to start, on 18 March, to implement its settlement plan in Jabal Abu Ghneim and occupied Muslim Jerusalem. This act jeopardized the peace process in the Middle East, and the international community should deal with this situation as fast as possible. It should oblige the Israeli Government to desist from these irresponsible acts, which run counter to logic, rights and justice.

Thus, we were led to request the convening of this emergency special session on the basis of General Assembly resolution 377 (V) of 3 November 1950, entitled "Uniting for peace". Peace is the noble objective for which we should all work. Without peace no one will be secure. Without peace there will be no cooperation or peace between the countries of the region. The Israeli policy regarding settlements is a clear and flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, as well as of The Hague Rules of 1907. It also represents a serious violation of the resolutions of the United Nations and contravenes the relevant resolutions of the Security Council, particularly resolutions 242 (1967) and 252 (1968). These resolutions called upon Israel to withdraw from all occupied Arab territories, including Holy Jerusalem, and declared null and void all administrative measures and other measures taken by Israel relating to the confiscation of land and property, as well as any act that might change the situation in the occupied Arab territories, including Jerusalem. In addition, it should be recalled that the Security Council adopted resolution 446 (1979), which determined that the Israeli settlement policy in the occupied Arab territories since 1967, including Jerusalem, had no legal validity and constituted a serious obstruction to achieving peace in the Middle East. Resolution 476 (1980) reconfirms that the imposition of Israeli rule over the Holy City of Jerusalem and actions intended to alter its character and status violate international law.

I do not want to review here all the resolutions of the Security Council, the General Assembly and the

international community concerning the occupied Arab territories, including Jerusalem. These resolutions represent in their totality a condemnation of the wrongful Israeli settlement policy in the occupied Arab territories, which violates international legitimacy.

As we all know, Jerusalem is a Holy City not only for the Arabs, be they Muslims or Christians: it is a Holy City for more than a billion Muslims, who view it in a special way. Whatever the circumstances, they will not allow any Israeli Government to violate their rights to this city. Jerusalem represents either war or peace, either a new world order in which there are opportunities for justice, or a world based on supremacy and intransigence — which should be combated.

My previous comments lead me to recall that the conditions under which the Israeli occupation was acceptable belong to the distant past. Also past is the era during which some countries and peoples believed they were called to impose their civilizations on others. The conscience of the world no longer accepts such a pasture. Now on the verge of the twenty-first century we cannot tolerate injustice based on claims of supremacy and special rights that run counter to justice and to international laws and norms.

The international community must impose its will by stopping the Government of Israel and by preventing Israel's defiance of international will and its violation of international law. The international community must stop Israel from jeopardizing the peace process in the Middle East. The State of Qatar appeals to the international community to compel Israel, the Power occupying Arab territories, to desist immediately from building settlements in Jabal Abu Ghneim and Arab Muslim Jerusalem and to avoid imposing on the peoples of the region the consequences of Israel's foolish policy which, if continued, would bring an end to the peace process and throw the Middle East region back into violence and chaos.

> They plot and plan,
> And God too plans,
> But the best of planners
> Is God. *(The Holy Koran, VIII:30)*

Mr. Sriwidjaja (Indonesia): Fifteen years have elapsed since the General Assembly last met in emergency special session. In 1982, the subject was the Israeli decision to annex the occupied Syrian Golan. Today, in 1997, it is Israel's commencement of the construction of a new settlement in Jabal Abu Ghneim to the south of East Jerusalem. It is poignant to note that both pertain to the situation in the occupied Arab territories.

Yet much has transpired in the intervening period. The end of the cold war has provided a new source of hope for a more peaceful and tolerant world, and one which is also more equitable. This general sense of optimism was also manifested in relation to developments in the Middle East. The peace process initiated in 1993 promised to bring to an end the long suffering of the Palestinian people. The international community witnessed and gave encouragement to the achievement of historic milestones in the journey towards peace in the Middle East. We laud the peacemakers for their foresight and wisdom in taking crucial initial steps for the cause of peace, and for their perseverance in the face of formidable obstacles. During this period of high hopes and expectations, and in recognition of the need for economic and social development if sustained peace is to prevail, our attention has been focused on efforts at improving Palestinian living conditions. Thus, in the Middle East, as in the global milieu, a critical turning point appeared to have been reached.

Despite these achievements, however, the General Assembly is once again meeting in emergency special session, and again the issue before it is the situation in the occupied Palestinian territory. Our very deliberations today are a regrettable reminder of the persistence of the policies and practices of the past. Within the Security Council, the end of the cold war was to have heralded a new era, one marked by painstaking and patient efforts at reaching consensus. Accordingly, the use of veto had declined. At the same time, we cannot fail to note with profound dismay and disappointment that in less than two years the veto was cast on three occasions in relation to the situation in the occupied Palestinian territory, always by the same permanent member of the Council, in utter disregard of the provocative actions of Israel. Indeed, in a span of less than two weeks, two vetoes were cast last month. Clearly, therefore, insofar as the situation in the occupied Arab Palestinian territory is concerned, the much-heralded positive impact of the changes in the international landscape in the aftermath of the cold war is yet to be fully realized.

Above all, notwithstanding the historic developments over the past four years, it is increasingly difficult to reconcile Israel's professed commitment to the peace process with its actions and deeds. It had been our earnest hope that every gesture towards peace by the Palestinians would be reciprocated by Israel. Instead, we

have witnessed methodical and systematic violations of the letter and the spirit of the Declaration of Principles and an accentuation of the policy of *fait accompli*. The commencement of the building of a new settlement in Jabal Abu Ghneim is not an isolated event. It is but a link in a long chain of illegal acts committed against the Arab nation. It follows the opening of the tunnel located within Al-Haram Al-Sharif, and therefore forms a part of concerted efforts to isolate East Jerusalem from the rest of the West Bank. In particular, there can be no doubt that the Israeli action constitutes a flagrant violation of resolutions of this body and of the Security Council, in particular Council resolutions 242 (1967), 252 (1968) and 338 (1973), which, *inter alia*, emphasize the inadmissibility of the acquisition of territory by force and consider all measures and actions taken by Israel which seek to change the legal status of Jerusalem as null and void. Moreover, this is an act which is in breach of the Fourth Geneva Convention and of other rules of international law. And it is one which violates the letter and the spirit of the Declaration of Principles and the subsequent agreements, not least because it seeks to preempt the outcome of the permanent status negotiations by changing the legal status and demographic composition of Jerusalem. As such, it threatens to undermine the peace process.

Through its actions, Israel seems determined to intimidate and humiliate the Palestinians in a vain attempt to consign them to perpetual subjugation and occupation. Israel is oblivious to the risk that the mutual trust and confidence which have painstakingly been built over the past four years would dissipate as a consequence of its actions. And it is clearly oblivious also to the danger that its provocative policies would lead to further bloodshed and deal an irrecoverable blow to the endeavours for peace. Indeed, Israel has become adept at attributing to others the deterioration of the situation in the Middle East, never acknowledging that its own actions have directly contributed to this grave state of affairs.

Mr. Agathocleous (Cyprus), Vice-President, took the Chair.

Israel cannot persist in assuming that its unlawful acts are committed in a vacuum, without serious repercussions for overall peace in the region. It cannot shirk its responsibility for the consequences emanating from its ill-conceived policies and practices. Israel cannot be exempted from the principles of international law and the provisions of the United Nations Charter. It cannot base its existence and security on the denial of the Palestinians' right to self-determination. And Israel cannot claim that the current difficulties in the peace process should be addressed strictly on a bilateral Israeli-Palestinian basis. Israel's unilateral actions in breach of the agreements already reached hardly lend credibility to its professed commitment to bilateral talks. Clearly, this constitutes nothing more than an attempt to weaken the cause of the Palestinians by isolating them from the overwhelming support of their position, which is based on international legitimacy.

It is in this context, and in view of the repeated failure of the Security Council to shoulder its Charter-mandated responsibilities and duties for the maintenance of international peace and security as they pertain to the situation in the occupied Palestinian territory, that my delegation fully supports the convening of the current emergency special session of the General Assembly in accordance with resolution 377 (V), entitled "Uniting for peace".

This emergency special session offers the opportunity to send yet another signal of the international community's categorical rejection of the Israeli action in East Jerusalem, and of its continued support of the peace process, to add to the overwhelming and decisive endorsement which made possible the adoption of resolution 51/223 last month. It reflects our shared determination to ensure that the Middle East peace process is not jeopardized by unilateral Israeli actions. And it constitutes an undeniable testimony to the recognition by the Assembly of its historic and permanent responsibility on the question of Palestine.

In this regard, the General Assembly must pronounce itself unequivocally and demand that Israel immediately cease its construction of a new settlement in Jabal Abu Ghneim and refrain from undertaking further activities that are incompatible with and detrimental to the peace process. We must collectively act to break the vicious cycle of crisis, tensions and violence caused by Israeli actions. The draft resolution which is to be placed before this Assembly encapsulates the minimum that must be complied with by Israel. The Indonesian delegation therefore fully supports its adoption.

In closing, I should like to reiterate that the settlement of the question of Palestine, through the attainment of the inalienable rights of the Palestinian people, is a prerequisite for achieving a durable and comprehensive peace in the Middle East. In the attainment of this objective, the Palestinian people can always count on our support. For peace, justice and

stability to prevail in the Middle East, the United Nations must ensure the unconditional withdrawal of Israel from all Palestinian and Arab territories occupied since 1967, including Jerusalem, the Syrian Golan and Lebanon, through the implementation of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).

Mr. Chowdhury (Bangladesh): Today we gather once again as innocent young Palestinian lives are being cruelly cut short in their prime, and many others are left scarred to live in hatred of their oppressors. The recent tragic events in Palestine raise the spectre of another *intifadah*. Surely this body, as it meets today, would not like to witness once more the uninterrupted flow of innocent blood on the soil of Palestine.

The State of Israel, even as we deliberate here, continues with its settlement plan in Jabal Abu Ghneim in East Jerusalem oblivious to the sensitivities of the Palestinian people and of the international community. Israel's dogged policy of construction of settlements constitutes a flagrant violation of resolutions of the General Assembly and the Security Council, particularly Security Council resolutions 242 (1967), 252 (1968) and 338 (1973), which clearly affirm, among other things, the inadmissibility of the acquisition of territory by force, and consider all actions and measures by Israel to change the legal status of Jerusalem as illegal and invalid.

The purpose and intention of the settlements is clear to all. They are aimed at changing the area's demography by making the Palestinians a minority in their own homeland, and in turn changing the legal and physical character of the Holy City of Jerusalem. This is an attempt to fulfil Israel's objective of establishing Jerusalem as its capital. But this is a dream which is unacceptable, for Jerusalem is a city of great spiritual significance to the world's three great religions. The question of the status of Jerusalem therefore cannot be settled by unilateral pre-emptive actions, but must be resolved through negotiations inspired by the spirit of conciliation and understanding.

The sacrifice and untold sufferings of the Palestinian people for over 50 long years are well known. Yet even at this critical juncture in the peace process, the Palestinians have demonstrated as much restraint as possible under the harshest and most treacherous circumstances. Their appeal to the Security Council for firm action has been in vain. The daily loss of lives and flow of innocent blood have failed even to soften the hardened hearts of those who have the ability to resolve the present tragedy. Indeed, the Security Council's credibility has been compromised. The failure of the Security Council has encouraged Israel to intensify its unilateral action. In a premeditated manner, Israel continues to paralyse and strangle the peace process with the intention of perpetually subjugating the Palestinian people. By any standard, these actions not only violate the terms of the Fourth Geneva Convention of 1949 and the provisions of the Hague Convention of 1907 applicable to occupied territories, but also the letter and spirit of the 1993 Declaration of Principles and all subsequent agreements arrived at between the parties involved.

It is therefore a timely and an opportune moment to hold this emergency special session of the General Assembly, pursuant to General Assembly resolution 377 (V), entitled "Uniting for peace", to deliberate on this crucial issue and all its essential aspects. The draft resolution before us today on "Illegal Israeli Actions in occupied East Jerusalem and the rest of the occupied Palestinian territory" is an all-inclusive one which has taken into consideration the sad realities and events of the time. Surely the resolution reflects the conscience of the world's nations. It calls, *inter alia*, for a halt to the construction of the settlements in Jabal Abu Ghneim; stresses the need to preserve the territorial integrity of all occupied Palestinian territory, to guarantee freedom of movement for Palestinians within and outside their territory and to remove all restrictions on the movements of Palestinian people in East Jerusalem; and demands that Israel accept the *de jure* applicability of the Fourth Geneva Convention of 1949 and comply with the relevant Security Council resolutions, in accordance with Article 25 of the Charter of the United Nations.

It is therefore only natural that Bangladesh should support the draft resolution and hope for its adoption at the emergency special session of the General Assembly by an overwhelming majority.

Bangladesh firmly believes that the attainment of the inalienable rights of the Palestinian people and the settlement of the question of Palestine is essential for achievement of a durable and comprehensive peace in the Middle East. Therefore, the participation of Palestinians as equal partners in any negotiations, with due cognizance of their rights and sensitivities, is imperative for any meaningful and realistic progress.

Bangladesh felt optimistic when the Madrid peace process in 1991 prompted the Israeli-Palestinian negotiations to move slowly yet successfully in the right direction. Now, like a bolt from the blue, comes Israel's

sudden decision to construct settlements, thus destroying all that was so assiduously achieved in recent years and indicating a return once again to the old legacy of enmity and mistrust. Bangladesh believes that if this present trend continues, peace in that region will indeed remain an elusive dream.

Despite the present tragic situation, Bangladesh will continue, as in the past, to support the just and courageous struggle of the Palestinians as they strive to attain their own homeland of Palestine, with Jerusalem as its capital. Bangladesh will also continue to stand by its declared position, which calls for Israel to withdraw from all Palestinian and Arab territories occupied since 1967.

I would like to conclude by stressing again the importance of this emergency special session of the General Assembly. Our support for the draft resolution will reflect the international community's aversion to the actions of one particular State in the region destroying all the years of hard work and negotiations. Our firm stand will surely tell Israel that the world community as a whole cannot be wrong when it demands an immediate halt to its settlement activities. Only such action can stop the senseless bloodshed and deaths in the troubled region. Israel must sincerely believe in a vision of peace and a prosperous future for all peoples in the region. As the stronger force, it must display graciousness and generosity by extending a hand of genuine friendship to the Palestinians, thereby giving them a sense of confidence, trust and understanding, which are the very essence of peace.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): The General Assembly is meeting today in an emergency special session, in accordance with the provisions of the resolution entitled "Uniting for peace", to consider the illegal actions taken by Israel in the occupied Palestinian territories, including Jerusalem. The meeting is taking place in the wake of the Security Council's failure, on two occasions within a 15-day period, to adopt a resolution calling upon Israel to halt construction on the Jabal Abu Ghneim settlement to the south of East Jerusalem and to desist from settlement activities in general.

I should like to point out that General Assembly resolution 377 (V) of 1950 affirms several important principles, foremost among which is the responsibility borne by the General Assembly for dealing with any threat to international peace and security if the Security Council fails to discharge its responsibilities in this regard. The resolution states:

(spoke in English)

> "the General Assembly shall consider the matter immediately — with a view to making appropriate recommendations to Members for collective measures". *(resolution 377 (V), part A, para. 1)*

(spoke in Arabic)

The provisions of this resolution were included in rules 8 (b) and 9 (b) of the rules of procedure of the General Assembly. As an integral part of the rules of procedure, the provisions have thereby become binding on all of us.

The United Nations and its various principal bodies, in particular the General Assembly, have a major responsibility with regard to the question of Palestine in all its aspects and various stages. This has been the case since the United Kingdom brought the matter before the General Assembly on 1 April 1947, and it will continue to be the case until the international community witnesses the just, comprehensive and lasting settlement of this question. That responsibility will remain. The States Members of the United Nations therefore bear a collective responsibility to address any matter that could be deemed to be a threat to peace and security in any part of the world, including the Middle East.

In my capacity as representative of Egypt, it may be appropriate for me to recall that the first emergency special session of the General Assembly was convened in November 1956. It adopted historic resolutions on the need for the withdrawal of the forces of aggression from Egyptian territories. It established the first peacekeeping force, called the United Nations Emergency Force. The General Assembly thereby established the rules for peacekeeping operations, which are now the main instrument of international peace and security. The General Assembly established an important principle at that time: the requirement for the withdrawal of military forces from occupied territories.

I should like now to deal with a question that has been repeated recently: why the United Nations has had recourse to consider the question of Israeli settlement policy in the occupied Palestinian territories four times in less than two months. There are two aspects to the answer to this question. As I have already made clear, the first relates to the responsibility of the United Nations for dealing with the question of Palestine in all its aspects and all its stages. The second relates to the gravity of the situation, as illustrated by the resumption of Israeli

settlement activity in the occupied territories, undoubtedly constituting a strong, if not a mortal, blow by the current Israeli Government to Security Council resolution 242 (1967) and to the principle of land for peace, which is based on the provisions of that resolution. I should like to reaffirm my belief that the policy of settlement will find no legitimate support in any forum. I should also like to point out that the Inter-Parliamentary Union, which represents the parliaments of the entire world, adopted, on 14 April 1997, a resolution that

(spoke in English)

> "Calls upon the Israeli authorities to refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East peace process".

(spoke in Arabic)

The policy of settlement confers no legal rights on the party claiming the territory, because it runs counter to the rules of international law and the provisions of the Fourth Geneva Convention of 1949, which prohibits the occupying Power from transferring citizens to settle the territories under its occupation. The settlement of Jabal Abu Ghneim, where Israel has begun construction work, is in a vital location that separates the city of Bethlehem, which is under the Palestinian Authority, from East Jerusalem, which was occupied by Israel in 1967. This settlement is the last link in a chain of Israeli settlements that ring East Jerusalem, serving to isolate it from the rest of the Palestinian territories occupied since that time.

This action not only expropriates the Palestinian right to East Jerusalem, but prejudges the result of negotiations on the final fate of Jerusalem, which the two parties have agreed will be one of the issues to be discussed in final status negotiations. Furthermore, the policy of the current Israeli Government, which is trying to impose a *fait accompli* on the ground, should be rejected. It is neither just nor fair to ask the Palestinian party to sit at the negotiating table and attempt to change the new facts on the ground that Israel has created by force.

We are not dealing here with a difference between two parties on the interpretation of the provisions of agreements concluded between them, and it cannot therefore be said that the way to settle such a difference is at a bilateral negotiating table, as Israel is demanding. The situation is indeed very grave, as it pertains to a party's unilateral abrogation of the agreements previously reached, thereby leaving the other party no choice but to capitulate or to resort to the relevant organs of the United Nations. This is what Palestine has done.

The current Israeli Government has persisted since last year in taking a number of provocative actions in Jerusalem. This can only be interpreted as complete disregard for the agreement reached in Oslo between the Palestinian and Israeli sides, which stated that the subject of Jerusalem would form part of the final status negotiations. These actions have included the demolition of the building of the Burj al Laqlaq society for social services in Jerusalem last August, the opening of the tunnel under the Western Wall of the Al-Aqsa Mosque for the sake of tourism, the declaration to establish a Jewish settlement within the original municipal boundaries of East Jerusalem in the Ras al-Amud quarter and, finally, the establishment of the Jabal Abu Ghneim settlement south of East Jerusalem. This is in addition to the economic blockade, closures and other provocative actions taken under the pretext of security, sometimes without anyone even bothering to provide an explanation. The Israeli Government has added to this the declaration of its tiny withdrawal from only 2 per cent of the territory of the West Bank, which was to have taken place in three stages until the middle of next year.

These actions should not be viewed as an attempt by Israel to strengthen its negotiating position. They are much more grave than that. They cast doubt on the credibility of Israel's intentions regarding peace. These actions benefit no one but the enemies of peace, who are waiting for an opportunity to strike at the very basis of the peace process.

In this regard, I received a few days ago an important report issued this month, which was prepared by Bet Salem — the Israeli Information Centre on Human Rights in the Occupied Territories — and Hamoked — the Centre for the Defense of the Individual Person — two Israeli non-governmental organizations. The report is entitled *The Quiet Deportation*. It deals with Israel's policy for the deportation of Palestinian citizens from East Jerusalem.

Allow me to quote some of the paragraphs from the report dealing with Israeli actions aimed at forcing the Palestinian people to leave East Jerusalem. I would like to stress that this report was issued by Israeli, not Arab or Palestinian, organizations. It says,

(spoke in English)

> "Viewing East Jerusalem Palestinian residents as foreigners who entered Israel is perplexing, since it was Israel that entered East Jerusalem in 1967, since the annexation of East Jerusalem. The Israeli Government has adopted a policy of systematic and deliberate discrimination against the Palestinian population in Jerusalem in all matters relating to land expropriation, planning and building".

(spoke in Arabic)

In connection with the restrictions faced by the Palestinians with regard to construction, the report goes on to say,

(spoke in English)

> "Most of the lands expropriated since 1967 were privately owned by Arabs. Some 38,500 housing unite were built on this land for the Jewish population, but not one housing unit for Palestinians. Some 64,870 dwellings, constituting some 88 per cent of all housing units, were built for the Jewish population, about one half of them by public construction, while 12 per cent of all the housing units were built for the Palestinian population".

(spoke in Arabic)

The Israeli report concludes as follows:

(spoke in English)

> "The Israeli authorities' planning and building policy in East Jerusalem leaves the Palestinian residents no alternative other than to move outside the municipal borders".

(spoke in Arabic)

It is appropriate here to point out that the United Nations has an official presence in Jerusalem through the United Nations Truce Supervision Organization (UNTSO), which has been discharging an important responsibility since 1948. In resolution 73 (1949) the Security Council gave a mandate for its continued operations. I believe it is important for all of us to demand the continued presence of UNTSO in order to monitor the events taking place in Jerusalem.

The peace process in the Middle East faces real difficulties that threaten to bring it to a halt. The current Israeli Government bears complete responsibility for that because of its lack of respect for established international norms, its disregard of the demands of the Arab and Palestinian side and its insistence on implementing arrangements according to its own vision, arrangements that cannot in any way, shape or form rise to the level of the just, lasting and comprehensive peace in our region, the achievement of which is the aspiration of the Arab world and the international community as a whole.

A just, lasting and comprehensive peace in the Middle East cannot be established on the basis of the vision of only one party. It must be based on the conciliation of the visions of the two partners in the peace process, and it must be based clearly on agreements reached since the Madrid Conference. This can take place only through the implementation of Security Council resolutions 242 (1967) and 338 (1973) and the formula of land for peace.

For Israel to attempt to alter the framework of peace, shirk the agreements previously reached and replace the formula of land for peace solely on the flimsy pretext of achieving Israeli security is unacceptable, not only because it is a regression from an international commitment, but also because real and genuine security will not be achieved for Israel, the Palestinians or the States of the region until a comprehensive peace is established. Genuine security will continue to be an elusive dream until peace is established in the region.

Egypt started the peace process in the region 20 years ago, investing much effort and resources in the hope of achieving a just and lasting peace in the region. Egypt has always played an active and central role for the achievement of this objective, without renouncing its Arab responsibilities. Over the last few months President Mubarak has repeatedly warned of the results and repercussions of the Israeli policies. Egypt has pointed out to the Israeli side, at all meetings and at all levels, that the current policy of the Government of Israel cannot but fuel extremism and violence because it strikes at the basis of peace and tramples upon the legitimate aspirations and ambitions of the Palestinian and Arab peoples. Violence is the natural result of frustration, and it cannot be stopped in isolation from the causes that have led to it.

The General Assembly is called upon today to consider the necessary measures to deal with the illegal

Israeli policies in all the occupied territories. We call upon the Member States to stand shoulder to shoulder to save peace and to reactivate the peace process on all tracks in order to save the future of the Middle East from a grim fate. We hope that the draft resolution before the emergency special session will constitute a clear message to the Israeli Government as to the solidarity of the international community and the demand for an immediate cessation of the building of settlements in the occupied territories, the territorial integrity of which must be respected by Israel.

I would like to refer in particular to operative paragraph 7 of the draft resolution, calling for the cessation of all support for and assistance to the illegal activities carried out by Israel in the occupied territories, particularly the settlement activities.

I call upon all States to shoulder their responsibility to ensure the implementation of the provisions of the Fourth Geneva Convention and its annexes, as set out in the draft resolution. This is consistent with the obligations assumed by these States when they became parties to that Convention.

I appeal from this rostrum to all States to support the draft resolution, which is a realistic and balanced one. By so doing, they will uphold the important principles contained in the draft; they will express their support for international legitimacy; and they will help safeguard peace in the Middle East.

Mr. Abdellah (Tunisia) (*interpretation from Arabic*): The convening of this emergency special session of the General Assembly on the basis of unity for peace is a rare, even exceptional event in the history of the Organization. It shows the extent of the impasse facing States when they find all other avenues blocked for dealing with a situation that is adversely affecting international peace and security.

The international community had no choice but to take this step when Israel defied repeated international condemnation of its settlement policy in the occupied Palestinian territories, and in Jerusalem in particular. Israel turned a deaf ear to the appeals asking it to cease contravening agreements and international conventions. To make matters worse, the Israeli Government has persisted in defying the international community by continuing to build settlements in Jabal Abu Ghneim and other regions, even after condemnation by the international community last March, thereby disregarding international law and contravening the various resolutions and agreements that had been entered into.

Everyone is aware of the role that the General Assembly has played since its creation in the evolution of the question of Palestine. It was the Assembly, by its resolution 181 (II), of 29 November 1947, that partitioned Palestine into two States: the Palestinian state and Israel. The General Assembly must persist in its efforts until the other state — the state of Palestine — which has still not seen the light of day, is created. The Assembly would thus finally be discharging its duties towards this people, who have suffered the greatest tragedy of the twentieth century and are still sacrificing themselves to obtain their legitimate right to build an independent state, with Jerusalem as its capital.

The building by Israel of a settlement in Jabal Abu Ghneim, in East Jerusalem, contravenes the fourth Geneva Convention; the letter and spirit of the Oslo, Cairo and Washington agreements; and Security Council resolution 242 (1967), particularly the paragraph relating to the inadmissibility of the acquisition of territory by force.

Israel has acted in total defiance of the agreements entered into in the framework of the Madrid Conference and of the principles underlying the peace process. This represents a failure to abide by the commitments entered into and by the terms set by the United States as guarantor, as well as a way of defying the principle of land for peace. It is clear that Israel's decision to continue the illegal building of this settlement is aimed at changing the demographic composition of the Holy City in order to impose a *fait accompli*, thus preventing an appropriate solution to this delicate question. There is no doubt that the question of Jerusalem is the touchstone of the whole question of Palestine. Any hope for a just and lasting settlement necessarily requires the acceptance of the right of the Palestinian people to have Jerusalem as the capital of their independent state, because Jerusalem is the third Holy City, after Makkah and Al-Madina.

Jerusalem also has a special meaning for Christians, who feel that the construction of this new settlement represents an attempt to separate Jerusalem from Bethlehem, the cradle of Christ, and that it will force Arabs to emigrate. His Holiness Pope John Paul II took a clear-cut stand on this latest Israeli decision: he opposed this action, which would adversely affect the Christian world. Israel cannot remain unmoved by the

sentiments of both Muslims and Christians towards the future of Jerusalem.

We are at a crossroads today. Israel can either go back on its decision to separate Jerusalem from the other territories occupied since 1967, and sincerely and in good faith live up to its commitments to refrain from imposing a *fait accompli;* or it can accept responsibility for jeopardizing the peace process. Its futile pretexts aimed at changing the facts on the ground, whose goal is to thwart the final status negotiations, are not convincing.

The Organization must, under these circumstances, follow most attentively the negotiating process and rectify its course according to need. Even if the intentions to respect commitments are sincere, what to make of actions that contravene agreements and of realities that go against the objectives sought? Is it not then the Organization's duty to make its position clear, to rectify policies and to see to it that international agreements and conventions are implemented, particularly the fourth Geneva Convention, the Hague Convention, the Declaration of Principles and all peace agreements concluded between Israel and Palestine?

The striking inequity in the balance of power requires that the international community ensure that international legality is respected. People must not be allowed to act as they please, with the strong oppressing the weak without being held responsible. Thus the General Assembly must adopt a resolution demanding that Israel cease building the new settlement, put an end to its practices and measures aimed at bypassing the final negotiations, and respect its commitments as well as agreements and international conventions.

Since the very beginning of the peace process, Tunisia has supported the principles underlying the Madrid Conference, namely the principle of land for peace. We have striven to build a just and lasting peace on the basis of international law and the relevant resolutions of the General Assembly and the Security Council, particularly resolutions 242 (1967), 338 (1973), 425 (1978) and 478 (1980).

The initiatives and actions of the Tunisian Government have always been dictated by this vision, which is shared by other members of the international community, because Tunisia feels that peace based on justice is the only way that trust will prevail over fear, and security over violence. It is the only means of ensuring genuine cooperation between the peoples and States of the region so that they can progress. We must therefore bear in mind these principles and objectives and try to ensure the implementation of agreements entered into, so that the peace process does not stumble or falter. Israel is attempting to impose a different status quo, the only effects of which would be a resurgence of violence and the loss of all hopes for achieving peace, security and stability in that sensitive region of the world.

The delicate situation of the peace process at present means that the sponsors of the Madrid Peace Conference should take a firm stance and send an unequivocal message to Israel, firmly calling upon it to respect completely the requirements for a just and secure peace. Such a peace requires genuine mutual recognition between the Palestinian and Israeli peoples on the basis of dignity, equality and reciprocal respect.

Mr. Mesdoua (Algeria) (*interpretation from Arabic*): I would like at the outset to join those who preceded me in thanking the Secretary-General for his prompt response to the desire of the majority of the Member States and for convening this emergency special session of the General Assembly, at the request of the Arab Group, to discuss the serious situation that has prevailed recently in the Middle East in general and in the city of Jerusalem in particular.

No one disputes that the peace process in the Middle East is now at a serious stage that jeopardizes its very basis and future. The real sources of this situation are no secret to anyone. The most important of them is the policy adopted by the present Israeli Administration in dealing with the peace process in general. In fact, since that Administration came to power in Israel, it has been creating obstacles to the peace process. These have included its non-compliance with previous commitments: first and foremost the agreements concluded with the Palestinian side and, secondly, with those concluded with the other parties. This policy threatens the fundamental basis — especially the principle of land for peace — upon which the peace process has been built since its inception at the Madrid Peace Conference in 1991 and thwarts the positive steps that followed, which were a source of hope and optimism for a just, lasting and comprehensive solution to the Arab-Israeli conflict.

What is taking place now in the eastern sector of occupied Jerusalem is clear evidence of this policy. The Israeli project to construct a new settlement in Jabal Abu Ghneim is a flagrant violation of the principles and objectives of the peace process. It abrogates a previous agreement with the Palestinian party, which calls for non-

interference with the demographic composition of Jerusalem until an agreement concerning it is reached during the final status negotiations regarding the occupied Palestinian territories.

Hence, the whole world, even the friends of the Israeli Administration, rejected and condemned the Israeli measures. The international community regarded the violations of the spirit of the peace process committed by that Administration as detrimental to that process, undermining all the bridges of trust and optimism that had been painstakingly built during the last few years.

The General Assembly discussed this issue previously during its resumed session in the middle of last month. At that time a resolution was adopted. It called upon Israel to desist from its position, which impedes the peace process, and to refrain from its continued policy of establishing settlements in occupied Arab territories, starting with the current project in East Jerusalem. Despite the Security Council's failure to take a firm stand regarding the issue of Jerusalem, statements made in the Council clearly indicated that there is near-consensus in the international community on the need to require the Israeli Administration to halt its settlement practices — notably the Jabal Abu Ghneim project — and to comply with the resolutions of international legitimacy, especially resolutions 242 (1967) and 338 (1973), and, in particular, 476 (1980), which provides that the character and status of the Holy City of Jerusalem must not be altered, since it is an occupied territory, and that all measures taken contrary to this ruling are null and void.

Given Israel's intransigence, its persistent non-compliance with all these resolutions, its disregard of all appeals and its continued defiance of international world opinion, Algeria joins the majority of the world's nations in calling upon the international community to discharge its responsibility in full to put an end to this arrogance and to rectify this unacceptable situation.

In this connection, we believe that the convening of this emergency special session of the General Assembly is an opportunity for the international community to reaffirm that it is necessary to keep to the path of peace, and for it to take firm and effective practical measures to impose respect for all resolutions adopted by competent international bodies, so as to confirm what is right, remove what is wrong, and eliminate anything that could pose a threat to international peace and security.

Arab leaders have repeatedly affirmed their insistence on the peace option as a strategic and political goal, provided that it is based on the principle of land for peace, on respect for the legitimate national rights of the Palestinian people — in particular its right to establish an independent State of its own — and on Israeli withdrawal from all occupied Arab territories on the basis of binding international resolutions. Anything else can only delay the peace process and the achievement of a solution acceptable to all parties; it could also open the way for even worse possibilities, pose a threat to the peace, security and stability of the region, and give rise to serious developments with an impact on the entire international situation.

Mr. Moubarak (Lebanon) (*interpretation from Arabic*): This emergency special session of the General Assembly has been convened to consider measures against Israel because of the continuation and intensification of its settlement activities in the occupied Arab territories. It has been convened following the failure of the Security Council to adopt the necessary measures.

I want to state Lebanon's grave concern at Israel's continued illegal policies and practices in the occupied Palestinian territories, including Jerusalem, and in the occupied Syrian Arab Golan, in particular the ongoing establishment of settlements. These violate the Fourth Geneva Convention of 1949, the Hague Rules of 1907, the two dozen Security Council resolutions relating to settlements, and the relevant General Assembly resolutions — quite apart from the serious threat they pose to the entire peace process.

I reaffirm that the Arab Group has turned in the past, turns now and will turn in the future to the United Nations, both in the General Assembly and in the Security Council, to underscore the Arab commitment to the peace process that began in Madrid in 1991. This reflects support for the process and for its frame of reference: Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Meanwhile, by continuing its policy of settlements in the occupied Arab territories, Israel is seeking to discard that frame of reference and persists in rejecting all international resolutions and all norms of international law. Peace will be achieved in accordance with the principle of land for peace, or not at all.

It is useless to try to repudiate the consistent elements accepted at Madrid. It is everyone's

responsibility to help save the peace process from failure. Israel must put a complete halt to its settlement activities if it wants to achieve the peace envisaged and desired at Madrid. We reaffirm the role of United Nations forces in the region, such as the United Nations Interim Force in Lebanon and the United Nations Truce Supervision Organization in Palestine, in the implementation of the relevant international resolutions.

With the 1991 Madrid Peace Conference and the establishment of the principles and foundations of the peace process, we had hoped for a new dawn in our region and for a just and lasting peace. The Arabs endeavoured sincerely to participate in that process, but Israel's continued settlement policy and its policy of expansion and the confiscation of land dampened our hopes. Then the new Israeli Government dealt those hopes a nearly mortal blow by indicating that it would shirk the obligations on which the peace process was founded: it made settlement activities an important part of its political priorities, and has refused to resume the peaceful negotiations which had continued in spite of all the difficulties. Israel has also begun to adopt grave new measures aimed at annexing East Jerusalem.

Today, therefore, we meet for the fifth time in eight months — three times in the Security Council and two in the General Assembly — to focus on Israel's illegal policies and activities in occupied East Jerusalem aimed at changing the legal status and demographic composition of that city. The Assembly is today considering violations of international law: the occupation of territory and the establishment of settlements, including in Jerusalem. Some weeks ago, the Israeli authorities began the construction of a new 6,500-unit settlement south of East Jerusalem, in the Jabal Abu Ghneim area. This is part of a series of similar Israeli actions, such as the announcement of a new settlement in Ras al-Amud within the original municipal boundaries of East Jerusalem. Moreover, the Israeli authorities demolished the Burj al-Laqlaq centre within the walls of the Old City, in order to build a new settlement in its place.

All of this paves the way for the gradual ejection of Arabs from East Jerusalem. In previous statements, including our most recent statement in the Security Council, we have referred to this repeatedly. Various human rights organizations, including Israeli organizations, have published reports proving that successive Israeli Governments have had a premeditated policy of easing the Arab population out of the Holy City. We have repeatedly cautioned that such illegal expansionist Israeli activities and policies in East Jerusalem are matters of extreme seriousness, because Jerusalem is of central importance to the Arab, Islamic and Christian worlds, as well as to the international community at large and to three major religions.

The Israeli authorities continue to keep the tunnel under Al-Haram Al-Sharif open, in spite of Security Council resolution 1073 (1996) on that matter.

I would like to reaffirm our firm position concerning the right of peoples to resist foreign occupation, which has been established in various international documents, including the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations. We would also like to reaffirm our condemnation of Israeli terrorism in the occupied Arab territories. In that context, we would like to underscore the following facts.

First, we are in complete solidarity with the Palestinian people, who refuse to be subjugated by occupation and settlement despite the strength of the occupying force.

Secondly, the current settlement problem is not a new one, but is a result of the Israeli mentality and the current Israeli policy. Therefore, in order to deal with this problem, the international community, as represented by our emergency special session, must take a clear stance to reaffirm to the Government of Israel its complete rejection of the appropriation of the occupied Palestinian territories, including Jerusalem, and the settlement activities in other occupied Arab territories. By doing so, we will be serving the future of peace in the region at a time when Israel has struck at the basis of the peace process by its settlement policies. Leniency towards the rulers of Israel, in the Security Council in particular, has resulted in destruction and violence for both Arabs and Israelis. Our position is in keeping with the resolutions of international legality and with international law, which remains the cornerstone of the contemporary civilized world.

We deem it the duty of the General Assembly at its emergency special session to act for the implementation of the provisions of the United Nations Charter and the resolutions of the Security Council by the same standards used in other parts of the Middle East and the world. We would like to recall Security Council resolutions 252 (1968), 267 (1969), 298 (1971), and 467 (1980), which considered all administrative and legislative actions taken by Israel in Jerusalem null and void.

We call for a General Assembly resolution that unequivocally expresses the international community's rejection of Israel's policies and its measures to annex Jerusalem and expand the settlements. We would like the resolution to contain specific measures to bring Israel and those involved in the settlement activities into compliance with international legitimacy. We call for a clear position that reflects the international community's insistence on proceeding with the peace process in accordance with the principles of Madrid, particularly the principle of land for peace, and with the various obligations assumed on all tracks during negotiations.

All present here are called upon to discharge their historic responsibilities. Waiting is not in the interest of peace. Events in the region threaten repercussions that will not be confined to the region alone. The General Assembly's position must stand in clear opposition to the Israeli position, or it will not be a position at all. Some of the vague positions that have taken Israeli sensibilities into account have caused grave damage to the peace process, which is now in danger of expiring. The continuation of settlement means the end for peace in the region. This special session of the General Assembly has a historic responsibility to save peace in the Middle East.

Thirdly, the pretext of security, which is constantly cited by the Israelis as a justification for expansionist settlement measures and on the basis of which the current Israeli Government came to power, has proved invalid. Those measures have led to increased violence and tension between Arabs and Israelis. What kind of peace can be established as long as occupation continues? In a situation imposed by force, peace cannot be established or survive and is doomed to failure. Genuine peace is within our grasp on the basis of the principles that we all accepted in Madrid, foremost among which are land for peace and the full implementation of international resolutions that reaffirm the need for Israel to withdraw from all occupied Arab territories, including Jerusalem and the Golan, to the boundaries of 4 June 1967, in accordance with Security Council resolutions 242 (1967) and 338 (1973), as well as the need for it to withdraw from Lebanon to that country's internationally recognized borders, in accordance with Security Council resolution 425 (1978).

The measures taken within the peace process must not allow Israel to elude the pressures of public opinion and the international community. Israel must not be allowed to proceed with its current settlement projects.

Fourthly and finally, we look to the sponsors of the peace process in the Middle East to play their important role in convincing Israel to rescind its settlement decision on Jabal Abu Ghneim, retreat from its settlement policies, reactivate the peace process as a whole and resume that process from the point it had reached, on the basis of the Madrid principles, the land-for-peace formula and Security Council resolutions 242 (1967), 338 (1973), and 425 (1978).

Today it is urgently necessary that the two sponsors of the peace process give it a new impetus in accordance with the principles agreed upon in Madrid, with a view to the achievement of a just, lasting and comprehensive peace in the region. From this rostrum, we call upon all involved to continue to play their roles and to make the necessary efforts to convince Israel to give up its policy of settlements and to return to the Madrid framework.

The meeting rose at 1.10 p.m.

United Nations A/ES-10/PV.2

General Assembly
Tenth Emergency Special Session

Official Records

2nd plenary meeting
Thursday, 24 April 1997, 3 p.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 3.10 p.m.

Agenda item 5 (*continued*)

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The President: Before calling on the first speaker, I wish to remind delegations that the list of speakers will be closed at 4 p.m. this afternoon.

Mr. Owada (Japan): As a country which has been promoting the peace process in the Middle East through its active participation in the multilateral talks, Japan has been watching with grave concern the recent deterioration in the peace process. We in Japan are seriously concerned, because if the present vicious circle of mistrust and violence continues, there is a real danger that the peace process, which commenced in Madrid in 1991 and continued with such vigour and promise on the strength of the shared sense of mutual trust and collaboration of the parties involved, could be overwhelmed. Unfortunately, there are numerous such examples in the history of the region. It is absolutely essential that both parties concerned summon the courage to take concrete steps to implement the commitments that they made in Madrid, in Oslo and thereafter.

Since we learned about the decision of the Government of Israel to construct housing in the Har Homa, or Jabal Abu Ghneim, area of East Jerusalem, the Government of Japan has expressed its deep regret to the Government of Israel on a number of occasions, including that on which Prime Minister Hashimoto and Foreign Minister Ikeda met with Israeli Foreign Minister Levy on 27 February 1997. In the view of my Government, that act would have a serious, negative impact on the peace process. Nevertheless, the Government of Israel proceeded with the construction. While we deplore the tragic spiral of violence that we are now witnessing, beginning with the terrorist bomb attack by Palestinian extremists, it is the conviction of my Government that the source of this spiral is a sense of frustration and powerlessness that now permeates the region in the face of the impasse in the peace process since the tragic death of Prime Minister Yitzhak Rabin of Israel.

As recently as 8 April, three Palestinians were killed, and more than 100 Palestinians were wounded, as a result of clashes in Hebron city. We condemn all acts of violence and urge all those concerned to refrain from them. The modicum of trust between the parties that has been so carefully nurtured in the course of the peace process is being gravely endangered by such acts. It is extremely important that we restore and recreate an environment of trust and confidence by forgoing such acts, which can seriously jeopardize the peace process.

In the view of my delegation, the present situation is so seriously fraught with danger that no complacency about the future of the region can be allowed on the part of the parties directly involved, who should exercise the utmost caution and restraint in order not to frustrate the

97-85483 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

prospects for the future. Japan, as one of the most active participants in the multilateral talks, strongly urges the parties to leave no stone unturned in overcoming the difficulties lying in the way of negotiations. In order to salvage the peace process, the parties concerned must take a sober look at the long-term future of the region from the standpoint of their own interests in securing a stable environment for durable peace and prosperity in the region.

As a first step, in order to prevent the further deterioration of the situation on the ground and the possible derailment of the Middle East peace process, the Government of Japan urges Prime Minister Netanyahu of Israel and President Arafat of the Palestinian Authority to restart the process of cooperation on the basis of restored mutual confidence. Unless there is a degree of trust between the parties concerned, no compromise proposal, however balanced and reasonable, will gain acceptance by both sides.

It is precisely out of this concern about the present perilous situation that my Government decided to send a special envoy to the region recently, in its endeavour to persuade the leaders of the Israeli Government and the Palestinian Authority to reawaken to their grave responsibility and re-engage in a collaborative process for peace. The Deputy Minister for Foreign Affairs of Japan conveyed a special message from Prime Minister Hashimoto and urged that every effort should be made to rescue the peace process.

One way in which Japan feels it can contribute to sustaining the precarious peace process is by providing emergency assistance to the Palestinians so that social stability in Palestine may be maintained. We in Japan sincerely hope that this will contribute to preventing an environment of desperation, which is conducive to terrorism, and to enabling the Palestinian Authority to engage in the peace process with confidence.

Out of this consideration, the Government of Japan decided on 21 March upon an emergency grant aid totalling $11 million to assist the Palestinians, who are facing worsening economic difficulties as a result of the closure of the West Bank and the Gaza Strip imposed by the Israeli Government, with a view to financing projects for the creation of jobs in Hebron, Bethlehem and Gaza. This is but the most recent example of Japanese assistance to the Palestinians, which has reached $290 million since September 1993.

My Government fully concurs with many other Members in deploring the recent construction activities in East Jerusalem by the Israeli Government and has repeatedly stressed this point. I sincerely hope that Prime Minister Netanyahu will listen to the voice of the international community.

It is the considered view of my delegation, however, that the adoption of a General Assembly resolution containing collective measures would not necessarily be the best way to promote the peace process. A General Assembly resolution without the broadest possible support of the international community would fall short of achieving the desired purpose, which is to promote the peace process. One must give careful thought to the reality of the present situation and reflect upon what is the most rational thing the General Assembly can constructively achieve at this juncture.

If there is one thing which the General Assembly can do in order to contribute to rescuing the peace process from its deteriorated condition, it would be to send a strong, unanimous message from the international community to the parties involved to the effect that the parties should spare no effort in engaging in a genuine endeavour, in good faith, to revitalize the peace process. The international community, for its part, should stand ready to support and cooperate with such efforts. The Government of Japan is more than prepared to move in that direction.

Mr. Abu-Nimah (Jordan) (*interpretation from Arabic*): It gives me great pleasure to thank you, Mr. President, for convening this emergency special session of the General Assembly at the request of the Arab Group to discuss the illegal actions of Israel in East Jerusalem. This response is evidence of this body's understanding of the serious impasse in the peace process and of its keen interest, along with that of the international community, to discharge their responsibilities with regard to this issue.

The Security Council met twice — on 5-6 March and 21 March 1997 — to discuss this issue. Regrettably, it was unable to adopt the draft resolution that we had expected due to a veto. The General Assembly met for the same purpose. In all these meetings we clearly expressed the position of Jordan on this issue. I would like to reiterate our established position on this extremely serious and critical issue.

The Israeli Government took a decision to build a new settlement to the south of East Jerusalem, at Jabal Abu Ghneim. It initiated construction despite the condemnation of the General Assembly. The construction is taking place on land that is supposed to be returned by Israel to its legitimate Palestinian and Arab residents, within the framework of the peace process and on the basis of one of the main principles on which the peace process was built: land for peace. Jordan has declared, in accordance with Security Council resolution 242 (1967), its categorical rejection and condemnation of the Israeli decision because we consider Arab Jerusalem, as well as the rest of the West Bank, of which Jerusalem is an integral part, to be territory occupied since 1967.

The Israeli decision to establish this settlement entails grave risks and has serious ramifications and repercussions that we witness every day. It clearly runs counter to all the bases of the peace process and to the Madrid principle of land for peace. It also contradicts Security Council resolutions 242 (1967), which confirmed the inadmissibility of the acquisition of land by force, and 338 (1973), which, together with the former, represents the relevant frame of reference of the peace process.

This decision contradicts international law, the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War and The Hague Rules of 1907 and its annexes, as it represents a violation of private property through its confiscation and the expulsion of its owners. It represents a violation of all these instruments and of scores of resolutions of the Security Council and the General Assembly that expressed rejection of the unilateral measures taken by Israel concerning Jerusalem and of settlement activities in the occupied Arab territories.

The peace process has made important achievements since it was initiated in Madrid. The Arab side has shown its commitment to peace and has worked seriously to achieve it. Jordan signed a complete Treaty of Peace with Israel within the framework of the peace process in 1994. Jordan has complied in full with all the terms, obligations and requirements of that Treaty. The Palestinians and the Israelis reached the Oslo accords and other significant agreements, each of which represents a stage on the path towards final agreement and complete peace between the two sides. The last of these was the agreement on the partial withdrawal from the city of Hebron. There is no doubt about the commitment of the Palestinian side to what it has agreed and signed, or about its curbing all manifestations of violence and maintaining security in the areas under the control of the National Authority.

In addition, many Arab countries from outside the region established relations with Israel and opened all doors to cooperate and deal with it, on the basis of their support for peace and their keen interest in achieving it successfully. We hoped that these major achievements would be a growing asset that would contribute to further progress, culminating in the attainment of a comprehensive and lasting peace in order that the region could proceed towards economic, scientific and comprehensive development, thus entrenching peace and counteracting the effects of conflict and backwardness from which the region has suffered for so long.

However, things did not go in that direction, and fears increased. We had feared earlier that the peace process would stop; we now face real fears of losing what has been achieved. This has happened in more than one instance, especially with regard to those who have halted their normalization of relations with Israel in accordance with the resolutions of regional organizations.

The agreement between Israelis and Palestinians approved the deferment of some key issues, such as those of settlements, Jerusalem and refugees, to the final stage of negotiations so that the march of peace could begin smoothly. It is only natural the deferred questions should remain unchanged until the time comes for them to be negotiated. It is inconceivable that deferment should be taken as an opportunity to change facts in the interest of the occupying Power, which makes solutions more complicated and difficult and farther removed from the original basis — the agreement of all the parties.

On this basis, any action taken by Israel since the beginning of the peace process to change or modify the legal, political or demographic status of Jerusalem is tantamount to creating a *fait accompli* in order to impose it on the Arab side in the negotiations concerning the final status. This represents a prejudgement on the status of the Holy City before the beginning of the final status negotiations, which is unacceptable. This is not in the interest of the peace and security that we cherish, nor does it serve the peoples of the region or their aspirations to a better future in which stability, cooperation, respect and trust would prevail.

We reiterate, as we have stated on previous occasions before the Security Council and the General Assembly, that we are gravely concerned about the escalation of threats to the peace process resulting from the non-compliance of Israel with the principles underlying that process. This issue, which is being

discussed by the General Assembly, is not the first violation committed by Israel. Israel has persisted in its settlement activities in the Arab territories. Israel has not been committed to the implementation of the agreements it signed. The Israeli authorities have continued to carry out a policy of siege, closure, and confiscation of identity cards and citizenship papers. All these practices, the details of which were included in the statement made by the Permanent Observer of Palestine, represent a throwback for the region to the atmosphere that prevailed before peace, an atmosphere we thought we had put behind us.

Israel's continued confiscation of land and building of settlements shows clearly that it is not committed to fulfilling its obligations, that is to say, the return of the occupied territories to their owners in return for peace. How can peace be achieved? There is only one path to peace: full commitment to the principles underlying the peace process and the implementation of all that was agreed upon. We do not believe that peace can be achieved without the return of the occupied Arab territories and without the achievement of the legitimate aspirations of the Palestinian people within the framework of the agreements concluded.

We have stated previously, and we reiterate again here, our belief in peace and our conviction that the peace for which we strive is a necessity for all peoples and countries of the region, Israel included. We therefore appeal to the Assembly to discharge its responsibilities and to adopt a firm resolution considering the Israeli actions illegitimate and calling upon Israel to reverse them and to desist from all settlement activities in all their forms and from all other practices to which we have referred, in order to eliminate all obstacles standing in the way of peace.

We call upon the international community, and in particular the co-sponsors of the peace process, the member States of the European Union and all competent regional organizations, to take a stand against this settlement activity, to reject it and to prevent its implementation, in order to facilitate the path to peace and to enable the peace process to pick up from where it left off so that it may reach its final and desired objective.

Our commitment to peace and our keen interest in observing all its requirements is the only option for us. We will not falter or hesitate in our continuing efforts to achieve this goal. We know very well the fate that awaits the region if the desired success of the peace process is not achieved. However, peace cannot be achieved through the commitment of one party only; it will not endure unless it is the true option of all parties to the peace process and unless it is based on justice, on a mutual recognition of legitimate rights and on agreed-upon conditions.

Mr. Londoño-Paredes (Colombia) (*interpretation from Spanish*): When the successive agreements reached on the Middle East conflict within the framework of the Madrid Conference were announced between 1991 and 1995, a sense of satisfaction and general rejoicing spread throughout the international community. For the first time in many years, a solution seemed to be emerging to the worrisome and explosive situation in the Middle East, which on many occasions had been on the brink of becoming a conflict of major proportions, and which has brought bloodshed and suffering to millions of people.

The parties negotiated with extraordinary commitment and courage. It is not easy, in the search for a peaceful solution, to set aside positions that are deeply rooted in the hearts of the peoples and in the ideological platforms of very influential political groups. This attitude won the recognition of all, to the extent that the Nobel Peace Prize was awarded to the President of the Palestinian Authority, Yasser Arafat, and to the then-Prime Minister of Israel, Shimon Peres.

Therefore, when — as is the case now — a step backwards is taken in the fragile peace process, a feeling of concern grips the entire international community and the millions of men and women who still trust that their rights will be respected and who hope finally to live in peace. This is a heartfelt reality, not fiction.

It is understandable, therefore, that the very announcement by the Government of Israel that it would build a large housing complex in East Jerusalem prompted a justified Palestinian reaction. The tension in the Middle East immediately increased, and the optimistic view of progress towards peace was given a "cold shower". It would have been indeed a shock had the international community remained a passive observer of events.

The argument that the construction of a large housing complex in East Jerusalem — a city that has been for many centuries, and is today more than ever, the most sensitive spot in the entire world — is just a routine urban development project such as those being built in New York, Paris, Cairo, New Delhi or Bogota, is somewhat less than convincing to the international community.

Nor can it be argued that a case such as the Middle East conflict, in all its complexity, is simply a bilateral issue, and that the international community, and especially the United Nations, should remain on the sidelines. If any issue has held the interest of the Organization, it has been the question of the Middle East. The fact that the current dynamics of the process do not involve the 185 States Members of the Organization or any of its special envoys does not imply that the United Nations should be excluded from it. This criterion, which was used as a justification for the veto in the Security Council, is unacceptable. Indeed, if we did not follow up the situation and contribute to creating conditions conducive to peace in the Middle East, the United Nations would lose all relevance.

It is precisely for this reason that our delegation has opposed and will continue to oppose the use of the veto, which we continue to regard as an unfortunate consequence of the cold war. It is also for this reason that we have supported the convening of this special session of the General Assembly.

Terrorism and extremism, whatever their origins or motivations, are without a doubt enemies of the peace process in the Middle East. On several occasions the parties have courageously confronted these enemies, recognizing that such sinister forces cannot be the guiding principles of a process that holds the expectations of millions, nor can they serve as a pretext for going back on the irrevocable decision to advance along the road of peace.

The peace process in the Middle East and the Palestinian situation are legitimate concerns of the entire international community. It is our obligation both to ensure that the process continues to move forward and to prevent developments that might weaken it.

Mr. Samhan (United Arab Emirates) (*interpretation from Arabic*): Today, at its tenth emergency special session, the General Assembly is considering the question of illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. This special session was called for in accordance with General Assembly resolution 377 (V), entitled "Uniting for peace", after the Security Council was unable, because of the veto of a permanent member, to adopt a resolution calling for an end to the construction of a settlement at Jabal Abu Ghneim in East Jerusalem. Today's debate reflects the view of the international community, which rejects all Israeli colonization policies and measures in occupied Palestinian territories, particularly in East Jerusalem.

Barely a week after the General Assembly adopted resolution 51/223 by an overwhelming majority, calling on the Israeli Government to refrain from all actions or measures, including settlement activities, that alter the facts on the ground, it is unfortunate that the Government of Israel has continued to deny irresponsibly the will of the international community and to continue its illegal acts of building a new settlement in Jabal Abu Ghneim, in the southern part of the occupied East Jerusalem. It has also closed off the area, declared it a military zone, withdrawn the rights of Palestinians to live there and confiscated land by force. This is a link in the chain of the policy of past and future colonization of the city of Jerusalem and its environs. This policy is designed to isolate this important Arab Muslim territory from the rest of the West Bank and to Judaize it by changing its demographic character and political and legal situation, in violation of international law.

The Government of Israel has refused to call an immediate halt to the building of settlements, not only in East Jerusalem but also throughout the occupied Palestinian territories. It has also continued its policy of embargo, siege, and restricting the movement of persons and goods to the areas governed by the Palestinian Authority. It has introduced new concepts and interpretations that have nothing to do with the peace process in an attempt to shirk commitments already entered into and to hold up the final status negotiations. All these practices are flagrant violations of the resolutions of international legitimacy, of the Declaration of Principles on Interim Self-Government Arrangements and of the principle of land for peace. They also violate the guarantees of previous agreements in the peace process, the Fourth Geneva Convention of 1949 and The Hague Rules of 1907. The Palestinian people have the right to show their anger and to declare Israel's actions null and void because they prevent the Palestinian people from enjoying their legitimate rights to recover occupied lands, to self-determination and to build an independent State with its capital in Jerusalem.

If we examine objectively the policies of the current Israeli Government, we will see that it intends to render the peace process meaningless, to thwart it and subordinate it to the Israeli Government's objective of annexing Arab Palestinian territories by force. But all the other parties to the peace process reject this. They place on Israel's shoulders the full responsibility for the serious repercussions that might result from its illegal practices, which could throw the region back into a spiral of tension

and instability that could threaten international peace and security.

The United Arab Emirates is committed to the achievement of a just and lasting peace in the Middle East on the basis of the agreements reached at the Madrid Peace Conference and of United Nations resolutions, including resolutions 242 (1967), 338 (1973) and 425 (1978), which condemn the annexation of territories seized by force. The United Arab Emirates condemns these old Israeli practices that strengthen the Israeli occupation and not only provoke the Palestinian people, but will also provoke other Arab Muslim countries and other peace-loving countries.

We reaffirm that the United Nations must shoulder its legal, political and historical responsibilities towards the Palestinian people and the situation in the Middle East until a just, comprehensive and lasting settlement is attained. We must not have any double standards. We call on the international community, and especially the sponsors of the peace process, to keep pressure on the Israeli Government so that, in accordance with the agreements reached at the Madrid Peace Conference, it will respect its legal, moral and humanitarian obligations and carry out the agreements reached with the Palestinian people, which call for an immediate end to the policies of colonization and continuation towards final status negotiations to settle the issues of Israeli settlements, Jerusalem, refugees and boundaries, and the earnest pursuit of all tracks of the peace process, which is an important regional and international mechanism for ensuring trust and peaceful coexistence, and thus ensuring that the peoples of the region can realize their aspirations to security, peace and prosperity.

Mr. Al-Ashtal (Yemen) (*interpretation from Arabic*): On 26 February 1997 the Israeli Government decided to build a Jewish settlement on Jabal Abu Ghneim, a hill south of the Arab city of Jerusalem. This led to a serious crisis with grave consequences for the peace process, which is now threatened with derailment by the policy of confrontation and extremism pursued by the current Israeli Government.

Naturally, the Palestinians, together with the Arab Group and the Non-Aligned Movement, turned to the Security Council and asked it to intervene and put an end to the construction project in East Jerusalem, because the project was a blatant violation of Security Council resolutions on Jerusalem and the occupied Arab territories. The Security Council, indeed, responded to the request by Palestine, and all its members but one voted in favour of a draft resolution calling upon Israel to refrain from all actions or measures which have negative implications for the final status talks. But to our great regret, the draft resolution was not adopted, owing to the veto cast by one permanent member of the Council.

The Arab Group therefore turned to the General Assembly, which adopted a similar resolution, calling on Israel to refrain from building the settlement. Even though the General Assembly adopted resolution 51/223 almost unanimously, Israel began construction on 18 March, in defiance of the international community. It was therefore necessary to place the matter before the Security Council for a second time, even though the result was not notably different: the same permanent member of the Council killed the draft resolution by its veto. Its bizarre justification for this was to claim that the Security Council was not the appropriate forum in which to discuss the matter.

The General Assembly has thus been convened in emergency special session to discuss the same subject in different circumstances. This will enable the international community to impose its will on the Government of Israel, which does not respect international agreements and which is interested only in undermining the peace process — indeed, in jeopardizing the security and stability of the entire Middle East.

We wonder how anyone can argue that the Security Council is not the appropriate forum for discussing questions relating to Jerusalem or to the peace process and the ongoing negotiations between Israel and the Palestinians. Have Security Council resolutions, especially Council resolution 242 (1967), not supplied the operational framework for all Arab-Israeli negotiations, from the Camp David accords to the Madrid and Oslo agreements? Has the Security Council not discussed the Arab-Israeli conflict for decades and adopted a series of resolutions that remain in force, such as Council resolution 252 (1968), which considers that all measures and actions taken by Israel in the occupied Arab territories are invalid? Does the United Nations, and especially the Security Council, not represent the only international forum in which to deal with all aspects of the Arab-Israeli conflict? Is it not the right of the Palestinians to have recourse to the Security Council when all other avenues have been closed to them?

How could a Security Council resolution have jeopardized the credibility that is needed for the peace process to continue? What is at issue, of course, is the

credibility of Israel, of which it gives constant reassurances even as it pursues a policy of aggression and the creation of *faits accomplis* on the ground.

The attempt to block Security Council discussion of any matter relating to the Holy City of Jerusalem on the pretext that this would hamper the peace process and the ongoing Palestinian-Israeli negotiations plays into the hands of the Israelis and emboldens Israel to push its settlement activities ever further. Why should the Security Council not be involved in the Middle East conflict? Matters of peace and security, including the Arab-Israeli conflict, are at the very core of the Council's functions.

Israel's insistence on its plans to build a settlement on Jabal Abu Ghneim contravenes the letter and the spirit of the agreements signed by Israel and the Palestinians. Moreover, those measures, which seek to impose a *fait accompli*, can have only a negative impact on the final status negotiations. Indeed, they jeopardize the viability of those negotiations. Thus, the General Assembly, which represents the collective conscience of the world, has a duty once again to condemn these Israeli measures.

The construction of the Israeli housing project on Jabal Abu Ghneim must be stopped in order to salvage the peace process, which teeters on the brink of total collapse.

Mr. Çelem (Turkey): The world may not be very large, but it is beset by a myriad of political problems, troubles and serious conflicts. Unfortunately, peace, security and stability are frequently placed in danger. Globalization results in even the smallest conflict assuming larger implications and dimensions in a very short time.

The Middle East is one of the most volatile regions in this context, and peace and security have been shattered there so many times, even in the recent past. Each time, the inherent problems of the Middle East have had wider regional and international implications. The Middle East question was long viewed as one of the most intractable issues faced by the international community, one that had constantly eluded a peaceful solution. However, the Madrid and Oslo talks constituted a historic turning point. Thus started the critical Middle East peace process, bringing together the Palestinians and the Israelis as partners in the search for peace. This event could also be construed as an example for the solution of several other apparently intractable political problems we face.

This reconciliation and the subsequent progress achieved on the path towards a final settlement have not been come by easily. We must all be aware, especially in the light of the long and dramatic history of the Middle East question, of the farsightedness and wisdom required of leaders, and of the goodwill and sacrifice required of the peoples involved, when we assess the true value of this gigantic leap.

Considerable progress has already been achieved in the process, culminating most recently in the Protocol on Al-Khalil and the further redeployment of Israeli forces. These developments cleared the way for the final status talks, which will also include the future of Al-Quds. We have come to the point at which a peaceful resolution of this long-lasting dispute is in sight.

We were about to breathe a deep sigh of relief. But at that critical point, we, and the Palestinians in particular, were dismayed to see several actions by the Israeli Government that constituted serious stumbling blocks in the peace process. The decision to build new Israeli settlements just as talks on the final outcome of the peace process were imminent has affected the situation in the area in a fundamental way.

I do not think anyone doubts that these measures are of a nature to predetermine the results of the final negotiations. As a result of this unexpected development, fighting in the streets has again broken out. Bloodshed is occurring again. Human suffering has begun again. Peace and security are once again in danger. Is it all worth it?

Out of a serious concern for the preservation of the momentum of the peace process, this question has been taken up by the Security Council and the General Assembly several times in the last few months. In the debates, my delegation has posed the question of how many setbacks the peace process can endure before it starts to unravel altogether. It is regrettable that despite the preponderance of views expressed to that effect, satisfactory and unambiguous results have not come out of these meetings.

We would have wished that this emergency special session had not become necessary. But it has. This emergency session may be one of the last opportunities for us to see the forest and not only the trees. Will this emergency special session correct a serious deviation in the peace efforts? That we cannot be sure of until both parties put all their faith and political will behind the peace process. We can only encourage and provide support for them to come to that point of common understanding.

The tense and polarized atmosphere does not give us much hope that the positions of the parties will change in a short period of time. What we are seeing today is neither a credible way of making peace nor a rational way of providing security. Attitudes have to change, and necessary steps have to be taken without delay to alleviate the tension, defuse the charged atmosphere and re-engage in the process of constructive negotiations. The views expressed here and the serious concern of the international community must be taken into consideration. Our efforts are aimed only at bringing about the desired common understanding and agreement between Palestinians and Israelis.

It is true that the peace process has advanced until now through bilateral negotiations. It may also be correct to assume that bilateral negotiations will again turn out to be the only way, at this time, to achieve a peaceful resolution of the present crisis. However, Israel should recognize that its partner in peace cannot go on negotiating while at the same time watching Israel carve up the very land they would be negotiating about.

It should be said, on the other hand, that terrorism, organized or individually perpetrated, is not and cannot be an effective or acceptable response. In this context, as we and nearly every other Member State pointed out during last month's debates, the status of Al-Quds Al-Sharif under international law should be respected. The sanctity of the Holy City for all three monotheistic religions should also be recognized. For negotiations in good faith, all settlement activities in the occupied areas, especially the Jabal Abu Ghneim project, should be brought to an end. Only then can the peace process again start moving in the right direction and on the right track.

The opportunities which durable peace and security could bring to the Middle East and beyond are evident. Despite the serious setbacks the peace process has encountered, we believe that this emergency session will achieve its goal. It will bring to the fore the basic purpose of an emergency special session. We, including the Israelis and Palestinians, have to unite for peace. Thus, we are confident that Palestinians and Israelis will together accomplish the rest and bring the process of peace and security in the Middle East to a successful conclusion.

Mr. Mwakawago (United Republic of Tanzania): The fact that we are meeting here today in the General Assembly for the second time in two months on the situation in the Middle East demonstrates the grave concern of the international community over the recent events in the region. The United Republic of Tanzania shares this concern and will therefore continue to support efforts meant to facilitate the Middle East peace process.

The United Republic of Tanzania will vote in favour of the draft resolution to be presented to the Assembly. We will do so in the firm belief that the peace process in the Middle East can come to fruition only in the context of a political settlement and on the basis of the relevant resolutions of this body and of the Security Council.

Mr. Çelem (Turkey), Vice-President, took the Chair.

The Middle East peace process stands at a critical juncture. We are concerned that the new settlement under construction in Jabal Abu Ghneim, to the south of East Jerusalem, may represent a turning away from the expectations and hopes triggered by the January accord between the Government of Israel and the Palestine Liberation Organization, leading to the withdrawal of Israeli forces from Hebron.

The special status of East Jerusalem is central to the peace process in the Middle East. The parties, pursuant to the Oslo accords, are also in agreement about this matter. The issue is also the subject of the principles set out in Security Council resolution 242 (1967), particularly that of the inadmissibility of the acquisition of territory by force. It is our submission that the General Assembly cannot and should not, therefore, condone any measures, however subtle, and under whatever pretext, meant to alter the legal status of East Jerusalem by presenting a *fait accompli*. It must therefore be our overriding objective, through the draft resolution before us, to assist the parties to recommit themselves to the implementation of a mutually agreed course of action and to demonstrate good faith in furthering that process.

Subsequent to the recent constructions in the south of East Jerusalem, the international community has at times witnessed disturbing live footage of confrontations between the Israeli security forces and Palestinian civilians, in an utterly disproportionate use of force. We all regret such incidents. They are especially regrettable because they are avoidable, and if unchecked, can contribute to an irreparable erosion of the confidence the parties must have in each other if the peace process is to remain on course, and if the interests of the parties — and, indeed, of the international community — are to be promoted.

The United Republic of Tanzania continues to believe in the optimism signified by the Hebron agreement. It would be a tragedy if that hope were shattered. We therefore urge the Government of Israel to exercise maximum restraint in order to prevent such an occurrence. We also call upon the sponsors of the peace process to bear in full their responsibility to safeguard its integrity. We share with the Government of Israel the proposition that disputes are best settled between the parties.

We do not agree, however, that this Assembly and this Organization are not the appropriate forums in which to deal with the problem at hand, especially when the parties themselves are not in agreement on how best to execute their respective commitments, and when one of the parties has, in good faith, appealed to the collective conscience of this body.

It also needs to be underscored that at this critical juncture it is equally incumbent upon the international community to help the process by urging the parties to fulfil both the letter and spirit of the undertakings they have entered into, and to remain committed to their implementation. We do not see how a just, lasting and comprehensive peace can otherwise be attained in the Middle East. It is in this context that the draft resolution deserves our common support.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The convening of an emergency special session of the United Nations General Assembly is an extraordinary event in itself. The very fact that the United Nations has had to resort to such a measure means that few political means remain available to correct a serious contretemps in the life of the international community.

We regret that the Government of Israel would not heed the General Assembly's urgent appeal immediately to stop the construction of a new settlement in East Jerusalem. Present-day realities in the Middle East are already being shaped largely by the negative consequences of this step. The mood of confrontation has been worsening, the stocks of mutual confidence between the Israelis and the Palestinians have been dwindling, and negotiations on all tracks of the peace process have ground to a halt.

Daily clashes between the Palestinian population and Israeli security forces in the West Bank and the Gaza Strip have been causing us very serious concern. The prospect of a new outbreak of *intifadah* have clearly highlighted the complexity of the situation, when any rash or wilful step is likely to cost the peoples of the Middle East very dearly.

At today's emergency special session, the General Assembly is called upon to display the firm will of the international community to defuse the explosive situation, which is worsening. The draft resolution to be adopted must be a clear landmark in the advancement of the peace process and must at the same time block unilateral actions and the recurrence of violence and terrorism.

Issues relating to Jerusalem and Israeli settlements, as agreed upon by the parties concerned, will be addressed within the framework of final status negotiations. We hope that the decisions of the present session will be thoroughly studied by the Israeli Government and will serve as an effective incentive for it to reconsider the actions it has taken to change the status quo in East Jerusalem. Without understanding how this action is inconsistent with the norms of international law and the content of the Palestinian-Israeli agreements, it is not possible to talk about being faithful to the spirit and the letter of the fundamental principles of the Middle East peace process laid down in Madrid.

The policy of fait accompli with regard to the occupied territories in general can only lead to an impasse. This is especially obvious with respect to the holy places in East Jerusalem. We would like to express the hope that at this session the General Assembly will do its utmost to deny extremists and enemies of peace on both sides grounds for undermining the situation in this region yet again.

Russia, as a sponsor of the peace process, has been making persistent efforts to prevent the disruption of that process. Our policy consists in a resolute commitment to the normalization of the situation, channelling Palestinian and Israeli relations onto the track of continuing negotiations on the basis of the legitimate interests, commitments and obligations of the two parties. Both short-term prospects and the very future of the Middle East hinge on this at present.

We hope that the signal given by the General Assembly will be correctly understood and evaluated by all those who cherish peace and security in that region.

Mr. Allagany (Saudi Arabia) (*interpretation from Arabic*): At the outset, allow me, Mr. President, to pay tribute to you and to the Member States for their support of the request to hold an emergency special session of the General Assembly under the terms of resolution 377 (V), entitled "Uniting for peace". The convening of the General Assembly today confirms that it is for Member

States to determine the real track of reform in this international Organization. It also confirms the need to achieve balance in international relations in order to establish the bases for peace, security and stability in the world.

At its 3745th meeting, on 5 and 6 March 1997, the Security Council failed to discharge its primary responsibility for the maintenance of international peace and security. The General Assembly held urgent meetings on 12 and 13 March 1997 and by an overwhelming majority adopted resolution 51/223, which calls on the Israeli authorities to refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East peace process. Less than 24 hours after the General Assembly adopted that resolution, Israel, in defiance of the international community, began the actual construction of the settlement at Jabal Abu Ghneim in the Holy City of Jerusalem. This serious act by the Israeli authorities, in defiance of the will of the international community, shows what the real intentions of Israel are and threatens the peace process and the Middle East as a whole.

Israeli settlement in the Arab territories occupied since 1967 has been the chief task of successive Israeli Governments from the year of occupation until the present day. The Israeli Government attached particular importance to this, as has been reflected in party and electoral platforms, as well as in official decisions and statements and in various plans and budgets. In practice, this has meant the confiscation of Arab lands, the establishment of settlements on those territories and the expansion and strengthening of settlements.

If we reflect on the general characteristics of the Israeli settlement plan in the Arab territories, we will notice the following: first, an insistence on not returning to the borders existing before June 1967; secondly, an emphasis on freedom of settlement, particularly in areas that Israel alone calls security zones; thirdly, complete dissociation of freedom of settlement and the reaching of regional agreements with each of the neighbouring Arab States; fourthly, the consideration of settlements as part of the peace process in the region; fifthly, the full Judaization of the Arab city of Jerusalem; and sixthly, emphasis on control over land as political control, in order to prevent the establishment of an independent Palestinian state on the West Bank and in Gaza.

On this basis, the Israeli authorities conceived a priority order for settlements. Emphasis was first placed on certain areas called security zones, which included the Holy City of Jerusalem.

The Israeli authorities started the Judaization of the Holy City of Jerusalem and the alteration of its historical and religious nature and its Arab character immediately after their occupation of the city in 1967. On 27 June 1967 they declared the unification of the two parts of the city under Israeli authority. They began to evacuate Arab residents from the Arab residential neighbourhoods and began to build a Jewish neighbourhood in the Old City. They also began to establish a chain of settlements and residential neighbourhoods inside and around the city in order to create a Jewish majority in those areas, freeze the development of the adjacent Arab areas and prevent any demographic or geographic continuity between these zones and the city of Jerusalem.

In 1972 the municipality of Jerusalem entrusted a working group of experts with the duty of devising a new structural plan for the city, including its old and new borders, and to create a Jewish majority: the total population in the year 2000 would reach about 650,000, of which the Jewish people would represent at least 72 per cent. The plan is also aimed at expanding the city to around 108,000 dunums, comprising 1,080 housing units, as well as commercial and industrial zones and public parks.

Among the measures taken by the Israeli authorities are the allocation of huge funds to change the basic features of Jerusalem and to erase its Arab character and the promulgation of special decrees and laws treating Jerusalem as a purely Israeli zone subject to the same organizational, legal and administrative rules applicable to other Israeli cities. In doing this, the Israeli authorities did not hide their intentions, but acted directly and consistently within the framework of the Judaization process.

Situated where it is, Jerusalem divides the West Bank into two parts. This coincides with the policy of the Israeli occupation, which is based on dividing the West Bank into separate zones cut off from each other. The encircling of the city with two chains of settlements also contributes to its isolation and definitive separation from the West Bank. The first chain controls Arab Jerusalem and its centre. The second chain was established to reinforce the first chain and to prevent Arab neighbourhoods in Jerusalem from spreading, especially

to the north. The occupying authorities found it important to control these neighbourhoods by means of huge residential areas overlooking the Arab areas to the north. All these areas were linked to each other and were established with great attention given to security, making them almost like fortresses.

The Israeli Government continues to disregard the peace process and the bases upon which it was built: the principle of land for peace and Security Council resolutions 242 (1967) and 338 (1973). The Government of Israel is trying to replace the bases and concepts upon which the process has been founded since it began in Madrid with extraneous concepts that have nothing to do with the peace process. In addition, it refuses to implement its obligations under the transitional agreement.

The fifth article of the Oslo agreement signed in September 1993 provides explicitly that the status of Holy Jerusalem should not be prejudged during the transitional stage. This is in addition to the resolutions of the United Nations and international legitimacy, as well as the American letter of guarantee submitted to the Arab side at the Madrid Peace Conference. The decision of the Israeli Government to build a new settlement in Jabal Abu Ghneim, in occupied East Jerusalem, is designed to isolate the City of Jerusalem and to establish a new city to replace the city of Bethlehem, and is therefore a rejection of the commitments in the agreements concluded between the Israeli and Palestinian sides.

We are eager to continue the march of the peace process on all Arab tracks. We are also eager to salvage the peace process from the serious impasse at which it now finds itself. Jerusalem is the essence of the Palestinian question and the real key to war and peace in the region. There will be no genuine peace unless Jerusalem, the site of the two holiest mosques, is returned. We call upon Israel to return to the framework of peace in accordance with the agreements concluded and the terms of reference and principles agreed upon. We call upon the sponsors of the peace process — the United States of America and the Russian Federation — to work persistently to hold together the fragments of peace in the Middle East and to reactivate the peace process on the Lebanese and Syrian tracks. Peace in the Middle East is based on justice and balance. It requires honesty and good faith in the negotiations and in addressing the respective peoples equitably.

We should also focus on the fact that a just peace is the linchpin of stability in the Middle East. Saudi Arabia, along with its sister Arab States, participated in the Madrid Peace Conference and believes that peace in the Middle East is an integral part of peace in the whole world, especially in the Middle East region, whose potential and characteristics make its stability and security a major concern to all world Powers concerned with international peace and security.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The implementation by the Israeli Government of the decision to build Jewish settlements in East Jerusalem has brought the Middle East peace process to another deadlock and heightened tensions in the region. We express our grave concern over this development and once again urge the Israeli Government immediately to cease building Jewish settlements in East Jerusalem.

I wish to emphasize that the Chinese Government has consistently stood for the settlement of the question of Jerusalem through peaceful negotiations by the parties concerned on the basis of the relevant United Nations resolutions. We hope that the parties concerned will exercise restraint and take effective measures to create conditions for an early resumption of the peace talks.

The international community is deeply disturbed by the current difficulties in the Palestinian-Israeli peace talks and most concerned about the future of peace in the Middle East. We are of the view that to move beyond current difficulties and prevent the reversal of the entire Middle East peace process, all parties concerned must make every effort to remove obstructions and obstacles and to implement as soon as possible all the agreements reached. This is the only way to consolidate the progress already made in the Palestinian-Israeli peace talks and further advance the Middle East peace process.

China has consistently supported the Middle East peace process and stood for a political settlement of the Middle East question on the basis of the relevant United Nations resolutions and the principle of land for peace. At this sensitive and critical juncture, we call on the parties concerned to exercise restraint and remain calm, to cherish the hard-won peace and strictly to abide by the agreements reached by Palestine and Israel, so as to create conditions for an early, fair, comprehensive and lasting solution to the Middle East question.

Mr. Mapuranga (Zimbabwe): When the late Israeli Prime Minister Yitzhak Rabin and Chairman Yasser Arafat shook hands on that historic occasion at the White House, there were worldwide reverberations of joy.

In Africa, the situation in Palestine, and the situation in the Middle East in general, have been — and still are — permanent agenda items at meetings of the Organization of African Unity (OAU) Council of Ministers and Assembly of Heads of State and Government. The OAU, at both the ministerial and Head of State levels, has since passed resolutions welcoming the peace process and exhorting all parties involved, particularly the Palestine Liberation Organization and Israel, to persevere in consolidating the peace process in order to bring to fruition the peace and prosperity that has eluded the region for several decades.

Today, the Middle East peace process is in mortal danger as a result of the myopic and cynical policy of establishing new Israeli settlements in East Jerusalem and other parts of occupied Arab land. This policy has been overwhelmingly disapproved of by the world community. On 7 and 21 March, all but one of the members of the Security Council disapproved of that policy. The General Assembly followed suit, with only two votes against and two abstentions. At the beginning of April, the Ministers for Foreign Affairs of the non-aligned countries met in New Delhi and, among other things, reached the unanimous conclusion that the policy of establishing new settlements was a grave menace to the peace process.

Zimbabwe supported the call by the Ministers of non-aligned countries for the convening of this emergency special session of the General Assembly because it is our conviction that the United Nations can and should play a role in rescuing the peace process and putting it back on track. As Zimbabwe's Minister for Foreign Affairs stated at the New Delhi conference:

> "My delegation wishes to reiterate our call on the Israeli Government to show commitment to the peace process. The building of new settlements in the occupied territories will certainly throw that region back into the abyss out of which it is trying to crawl".

Consequently, we support the draft resolution now before the General Assembly and call on Israel, a State with which Zimbabwe has diplomatic relations, to desist from establishing these settlements and to give serious consideration to the grave consequences that the settlements policy has for the peace process. We hope that the forces of reason will prevail and that the peace process will be relaunched on a firm and even track.

Mr. Kausikan (Singapore): Less than two months ago, the General Assembly met in a resumed session to consider this very same issue. We regret that the Israeli Government has not heeded the clear message of the international community, as expressed in the resolution adopted on that occasion.

The Israeli Government's decision to proceed with the construction of an Israeli settlement in East Jerusalem can have the effect of undermining the spirit of trust and cooperation which is vital to the success of the Middle East peace process. At a time when all concerned parties are working tirelessly to ensure its successful implementation, it threatens to unravel the hard work achieved thus far in the peace process.

Of course, all Governments have the right to adopt policies that address the housing needs of their populations. But the selection of East Jerusalem as the venue of the housing project is controversial because unilateral steps that can alter the current status of Jerusalem will only complicate the already difficult negotiations.

As we all know, the final status of Jerusalem — a city of sacred importance not only to the Jews, but also to Muslims and Christians — is still subject to the outcome of negotiations. Singapore therefore urges the Israeli Government to reconsider the housing project in East Jerusalem so that the peace process can continue unimpeded.

Singapore is firmly of the view that the peace process is the only path to peace and security for the Palestinians, as well as for Israel and its neighbours. Singapore reaffirms its commitment to a comprehensive, just and lasting peace based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and within the framework of international law. We will continue to do what we can to support efforts to bring about the peaceful settlement of the question of Palestine so as to realize the just aspirations of the Palestine people.

Mr. Olhaye (Djibouti): The draft resolution under consideration by the General Assembly at this emergency special session, regarding the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory, represents, in the light of the enormous implications of Israel's actions, a reasonable expression of concern and a minimal measure on the part of the international community. The decision by Israel to construct 6,500 housing units on confiscated Arab land at Jabal Abu Ghneim in East Jerusalem has been consistently and justifiably condemned by the

international community since it was announced on 26 February 1997. The vote of 14 to 1 in the Security Council and 130 to 2 in the General Assembly on Jabal Abu Ghneim speak for themselves.

The case against Israel's actions is very clear and very tight, and has been made by many delegations. Jerusalem cannot be legally treated as one city. Until 1967, East Jerusalem was, and it still remains, a part of the West Bank and under Arab control. In that year, Israel conquered and brought under its control, as an occupying Power, East Jerusalem. Thus, the administration of East Jerusalem is governed by international law — The Hague Rules of 1907, article 49 of the Fourth Geneva Convention and numerous resolutions of the Security Council — 252 (1968), 271 (1969), 478 (1980) and 672 (1990) — and of the General Assembly on Israeli actions which alter the legal status and demographic composition of the city. Such actions have been consistently held to be null and void and of no legal validity.

Inasmuch as East Jerusalem is part of the West Bank and has been so since the partition of Palestine, its status is clearly covered by the Oslo declarations and by the 1993 bilateral agreement signed between Israel and the Palestinian Authority. That agreement states very plainly that neither side shall initiate or take any step that will change the status of the West Bank pending the outcome of the permanent status negotiations. Final status issues are clearly spelt out and cover Jerusalem, refugees, settlements, borders and security. The fact is that all Israeli settlements in the occupied territory, including East Jerusalem, are illegal under article 49 of the Geneva Convention.

The status of East Jerusalem, besides the legal issue, has a tragic human side as well, one touched upon by the representative of Palestine this morning. From the beginning of its occupation, Israel has, incredibly, classified Arab citizens of Jerusalem as "foreigners" in their own land, issuing them permanent residence permits. Now, in the last 18 months, a policy of quiet deportation of East Jerusalem Palestinians has been in force, leading to the expulsion of thousands. Restrictions on building and planning permits are in force. Attempts to unify families are systematically frustrated, and residence status for persons who move outside the municipal borders of Jerusalem are revoked on the pretext that their centre of life has changed and is no longer Jerusalem. The documented result has been the forced separation of families, husbands, wives and children. The Palestinians are losing their ancestral homes, are denied work permits and social benefits, and are unable to return to Jerusalem. Against this policy of quiet deportation and increasingly severe living conditions, Jabal Abu Ghneim looms ominous.

As we all know, the Oslo peace accord was predicated on a step-by-step implementation as the surest way to overcome the core constraint: the high level of mutual distrust between the parties. And, in fact, the peace process achieved an increasing level of trust and confidence. Sadly, though, we have reached a point where today even talks have been suspended, and the growing trust has been replaced by considerable hostility. One must therefore question Israel's call for accelerated final status talks now, which would obviously take place in an atmosphere of extreme distrust and low confidence.

Mention must be made of the issue of violence. There is no doubt that it represents a serious impediment to the peace process. But violence comes in many forms. The denial of basic human rights, the confiscation of one's rightful property and ancestral home, the denial of free movement, the obstruction of necessary economic activity, the importation of thousands of "foreigners" to be settled in confiscated land in occupied territory, the systematic and deliberate splitting of the West Bank through streams of bypass highways and indiscriminately placed settlements — all these, in our view, amount to a clear record of violence against the Palestinians by the Israeli authorities. These actions violate international law and the Security Council and General Assembly resolutions. They violate regional and international peace and security. Ending violence is key, but by that we mean all forms of violence, including those that provoke violence. Provocateurs are as guilty as violators.

There is little doubt that this tenth emergency special session of the General Assembly must express the overwhelming opinion of the international community and adopt the draft resolution calling for an immediate halt to the illegal construction at Jabal Abu Ghneim. Settlement activity — of which Jabal Abu Ghneim is a glaring example — must cease. At the moment, our immediate concern is not even a resumption of the peace process and negotiations; it must be to halt the slide towards hostilities. Even enlightened voices in Israel have noted that unless an urgent and radical change occurs, the peace process will wither away. Too much is at stake in the present crisis for it to be treated with benign neglect. The world community and the Assembly must make known their demand for a halt to divisive measures and the return to a real peace process.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): In recent months the Security Council has been addressing the situation caused by the decision of the Government of Israel to build a settlement in the area of Har Homa/Jabal Abu Ghneim in the occupied Arab territory of East Jerusalem, along with the reactions to that decision. Unfortunately, the members of the Security Council have been unable to provide a joint response to this problem. For that reason, we have all decided now, united for peace, to consider that situation in this emergency special session of the General Assembly, which is the Organization's democratic political organ par excellence. Costa Rica considers that this special session undoubtedly constitutes a necessary and valuable opportunity for the United Nations to comply with its primary obligation to secure peace, security and respect for human rights for all peoples.

Costa Rica considers that it is of crucial importance that the Middle East peace process continue forthwith. In this regard, it is indispensable to continue the peace negotiations aimed at full implementation of the Oslo agreement, undertaken thanks to the visionary, energetic and courageous leadership of both the martyred Prime Minister of Israel, Yitzhak Rabin, and the President of the Palestinian Authority, Yasser Arafat. That is the only logical, rational and sensible way to achieve peace. In that context, Costa Rica supports the legitimate rights of the Palestinian people as well as Israel's just demands for secure frontiers. It considers that only full and unconditional compliance with the peace agreements duly adopted and in force will meet the needs of both peoples.

We are therefore firmly convinced that the decision of the Government of Israel to build settlements at Har Homa/Jabal Abu Ghneim is contrary to international law, that it seriously jeopardizes the implementation of the Oslo agreement, and that it is inconsistent with the desire for peace of both the Palestinian and the Israeli peoples. That decision marks a withdrawal from the courageous commitment to peace undertaken by Prime Minister Rabin. Costa Rica, which does not endorse that decision, calls upon the Government of Israel to change this policy and encourages it to fulfil what was agreed at Oslo. A hero's peace requires and demands a new opportunity. As Yitzhak Rabin put it,

> "The road is still long. However, we are determined to continue until we have brought peace to the region, for our children and our children's children and for all the peoples of the region. This is our mission. We will fulfil it". (*Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 39th meeting, p. 26*)

Such is the spirit of peace that should prevail in the Middle East. My delegation considers that the General Assembly must decisively support the peace process and that it must call boldly upon the parties to continue the permanent status negotiations in good faith. There should be a clear call to the parties to avoid or cease all acts that could make resumption of the peace process more difficult, including construction of the settlement at Har Homa/Jabal Abu Ghneim.

Unfortunately, the peace process is threatened also by recent terrorist acts committed in the territory of Israel against civilian targets, which caused the loss of human lives. Such acts are criminal and are to be condemned. All terrorist acts and practices are criminal and unjustifiable, wherever and by whomsoever committed and regardless of any political, philosophical, ideological or religious consideration that might be used in an attempt to justify them. Their use is, as was recognized by the General Assembly at its fifty-first session, contrary to the purposes and principles of the United Nations. Even more, Costa Rica considers that they pose a serious threat to international peace and security and that the international community should therefore eliminate them. In that connection, Costa Rica is pleased that both the Palestinian National Authority and Israel have rejected and condemned the use of terrorist practices.

Costa Rica calls upon the parties to achieve, in compliance with the Oslo agreement and with the cooperation of the international community, a just and comprehensive solution to the status of Jerusalem which will secure the rights of all parties and which, in particular, will secure the freedom of religion and access for the faithful of all denominations and nationalities.

Finally, Costa Rica reaffirms its forceful call in favour of peace and the process of implementing the Oslo agreement. Radicalization of the parties should not prevail. The will expressed and committed to by President Arafat and Prime Minister Rabin when they signed the peace agreement should endure. That is the only path that Israel and the Palestinian Authority can follow, a path which, as President Arafat said,

> "springs from our people's desire to turn over the leaf of killing and destruction once and for all, so that the Palestinian people and the Israeli people

may live side by side, in two independent States on the basis of mutual respect". (*Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 35th meeting, p. 30*)

Mr. Gambari (Nigeria): My delegation is greatly concerned about developments in the Middle East, particularly in relation to the question of the occupied territories and the recent decision by the Israeli Government to undertake the construction of new housing units for Jewish settlers in the Jabal Abu Ghneim/Har Homa area of East Jerusalem. The construction of the new housing units is, of course, only the latest in a series of measures taken and policies adopted by the Israeli Government concerning the occupied territories, all of which are aimed at presenting the Palestinians with a *fait accompli*. We not only believe that these policies are unhelpful to the peace process, but we are sure that they contravene relevant Security Council resolutions and Israeli obligations under the Fourth Geneva Convention.

In the last 12 months, the only apparent bright spot in the peace process was the agreement concerning Israeli troop withdrawals from Hebron. We had hoped that the agreement would mark a welcome turning point for the peace process after the near-deadly blows that had been inflicted upon it throughout 1996. Without any illusions that the peace process was going to be hitch-free, we felt, until quite recently, encouraged by the positive developments that had taken place since Madrid, and had even allowed ourselves cautiously to hope that peace and stability in the region were finally within reach.

Concerning Jerusalem, my delegation very much understands the Israelis' attachment to that city. However, we strongly believe that the Government and the people of Israel should also recognize that the Palestinians and others feel equally strongly about the city.

The unique and highly sensitive character of the question of the status of Jerusalem informed the wise decision made in Oslo to defer discussions on that subject until the very last stage of the negotiations. Precisely to ensure that those negotiations would take place in good faith and in a spirit of give and take, it was also decided that the parties should refrain from taking any actions which sought to change the status quo. In our view, the recent step taken by Israel can only prejudice the outcome of those negotiations.

We were struck by the consensus and total unanimity which characterized the two debates in the Security Council on this subject during the month of March this year. The majority of delegations condemned the Israeli decision, and all, except Israel itself, agreed that it would impact negatively on the peace process. It was therefore a matter of great regret for my Government that the Security Council was prevented from exercising its Charter responsibilities as a result of the negative vote of a permanent member. This situation no doubt emboldened the Israeli Government to go ahead with the construction of the housing units in defiance of the overwhelming call for it to reconsider.

Furthermore, during the debate on the subject at the resumed session of the General Assembly in March, leading to the adoption of resolution 51/223, the view of the international community, as expressed by the Member States of the United Nations that spoke during the debate, was overwhelmingly in favour of sending the right message to the Israeli Government about the harm its policies are doing to the peace process and to its standing in the international community.

My delegation supported the call for the convening of this emergency special session of the General Assembly because we believe it is appropriate. We strongly disagree with those who say that the United Nations has no role in the crisis. On the contrary, we are convinced that the United Nations has an important role in promoting peace everywhere. We are particularly pleased that the General Assembly is exercising that role responsibly by calling for and supporting the peace process on the basis of prior agreements reached by the parties themselves, as well as the need for equity, justice and fair play. Hence, for our Organization to be silent now would amount to a shirking of its global responsibility and could be wrongly construed by either of the parties as an endorsement of the current Israeli policies.

In conclusion, it is not too late for the Israeli Government to reconsider its position and decide against the continuation of the construction. That is the only way to give a new impetus to the peace process and ultimately ensure long-term peace and security for the region. We therefore call on those with influence on and leverage with Israel to exercise them in favour of peace and stability in that long-troubled region by ensuring Israel's compliance with its obligations under the relevant United Nations resolutions and international law. In this regard, it behoves those who have assumed the leading role in reconciling the parties to the conflict in the Middle East to avoid conspicuously taking the side of one of the

parties. My delegation is convinced that only an even-handed approach can help bring peace to the region, sooner rather than later.

Mr. Kamal (Pakistan): It is most unfortunate that after less than a month this Assembly is meeting once again to consider the alarming developments in the occupied Arab territories. It gives Pakistan a sense of profound disappointment and regret that, despite the overwhelming rejection of the recent Israeli actions by the general membership, the Security Council failed on two successive occasions to shoulder its responsibilities in maintaining international peace and security. This inaction by the Security Council has clearly frustrated the will of the international community, which expected the Council to respond in an effective and timely manner to address such a crucial issue in such a volatile region of the world. Nothing would be more unfortunate than to see Israel seizing on the continued lack of initiative by the Security Council as an opportunity to intensify its unilateral actions in utter disregard of the aspirations and inalienable rights of the Palestinian people.

It is now, therefore, imperative that the General Assembly address this urgent situation and pronounce itself on this issue in unambiguous terms. It is also essential that the international community's voice of reason and justice be heard through the deliberations of this emergency special session of the General Assembly and that effective measures be adopted to address the illegal actions and policies of Israel.

It is with a sense of utmost concern that the Government of Pakistan views the action by Israel to begin the construction of a new settlement in the Jabal Abu Ghneim area of East Jerusalem. Israel has also continued to keep open the tunnel extending under the Western Wall of the Al-Aqsa Mosque at Al-Haram al-Sharif. We have been equally disturbed to learn that Israel has continued to isolate East Jerusalem from the rest of the West Bank by declaring it off limits to Palestinians and withdrawing residence permits from the city's original Arab inhabitants.

Pakistan would like to take this opportunity once again to strongly condemn all these actions and policies, which constitute a blatant violation of The Hague Rules of 1907, the Fourth Geneva Convention of 1949, the relevant resolutions of the United Nations Security Council and General Assembly, the Declaration of Principles and the subsequent agreements and accords concluded between the Palestinians and the Israelis. These measures are also particularly disturbing as they seriously jeopardize the peace process which had been established through bold and courageous initiatives taken earlier.

Provocative Israeli actions have once again shattered the hopes that the peace process would lead to the early exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland. Pakistan's support of the just struggle for the inalienable rights of the Palestinian people is well known. We have consistently stated that Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) continue to provide a viable and just framework for a durable and comprehensive peace in the Middle East.

The Security Council must continue to play an effective role to resolve the Middle East problem in a comprehensive manner. We should oppose any attempts to scuttle the Security Council's involvement in the peace process through the introduction of arbitrary "benchmarks" for peacekeeping operations in the context of United Nations reform. The United Nations Truce Supervision Organization (UNTSO), established in 1948, continues to operate in the Middle East. UNTSO observers have, on short notice, formed the nucleus of other peacekeeping operations. They have been assisting the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights and the United Nations Interim Force in Lebanon (UNIFIL). We must therefore maintain the present status and structure of UNTSO until the final resolution of the Middle East situation.

The international community must rescue the Middle East region, at this critical juncture, from an atmosphere of conflict and war. The provisions of the agreements and accords concluded between the Palestinians and Israel must be sincerely complied with both in letter and in spirit. The Israeli leadership should concede to the realities on the ground and resolve all pending issues with the Palestinian National Authority, including the immediate reversal of its alarming actions.

It is now incumbent upon the General Assembly to do what the Security Council has failed to do. In this context, we would like to draw the attention of the General Assembly to the Non-Aligned Movement's position on this issue, clearly spelt out in the communiqué on the Palestine question issued at the Twelfth Ministerial Conference of the Movement.

The Assembly now bears the solemn responsibility to ensure that the peace process is not undermined as a

result of provocative and irresponsible actions taken by Israel.

Mr. Mabilangan (Philippines): The Philippines joins other States Members of the United Nations today at this emergency special session of the General Assembly in expressing collective concern over the situation in Jerusalem and the occupied territories.

The Philippines has long held that the Holy City of Jerusalem is the sacred treasure of the faithful of Christianity, Islam and Judaism. Thus, there is no room for unilateral action with respect to the administration and development of the city. The Israeli Government's decision to proceed with construction in the eastern part of Jerusalem/Al-Quds is therefore viewed with deep concern. That action, sadly, is not in conformity with the spirit of dialogue and reconciliation which has otherwise characterized the tenor of relations between the Governments of Israel and Palestine as they engage themselves in the Middle East peace process; nor is it consistent with the spirit and intent of the agreements concluded between the Israeli and Palestinian authorities.

We had hoped that our collective voice, as earlier expressed by many delegations in meetings of the General Assembly and the Security Council held last month, as well as by the Foreign Ministers of the Non-Aligned Movement as contained in the section on Palestine in the Final Document of the XII Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi, would have persuaded Israel to reconsider its ongoing construction in East Jerusalem, and its presence in the occupied territories as a whole. Our voices also urged all parties to resume anew their places at the negotiating table of the stalled Middle East peace process.

Regrettably, our hope has not been fulfilled. Nevertheless, the door has been left open for all parties to return to the path of reconciliation and negotiation, as demonstrated by the progress made in the peace process as recently as January of this year.

This emergency special session provides the international community with an opportunity not only to discuss the situation under consideration but also to take effective action in addressing the situation. In this regard, we believe that the adoption of a resolution by a significant majority is necessary. In our view, such a resolution should include elements we believe to be essential for a just solution of the situation at hand. These would include affirmation of and support for the Middle East peace process on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and full and timely implementation of agreements already reached between the Governments of Israel and Palestine. It should stress the need to preserve the territorial integrity of all the occupied Palestinian territory and the need to guarantee the freedom of movement of persons and goods in the territory.

Such a resolution should also affirm the applicability of relevant international humanitarian law, namely the Fourth Geneva Convention of 1949 and the Hague Rules of 1907 as they apply to East Jerusalem and the occupied territories in general. We also hope that any resolution adopted will include provisions giving the United Nations an active role in the current crisis, including through the dispatch of a team of United Nations observers.

Finally, it is our fervent hope that the holding of this emergency special session of the General Assembly and the adoption of an effective resolution will serve as a catalyst in restoring the spirit of cooperation and dialogue among all parties in the Middle East process.

Mr. Andjaba (Namibia): After a gap of less than two months, this body is yet again seized of the same issue due to the urgent situation which currently prevails in the Middle East. The inability of the Security Council to send a unanimous message to the world, reaffirming the right of self-determination of the Palestinian people, is most disheartening.

The current situation has most regrettably deteriorated, despite the earnest appeal of the international community to the Israeli Government to, *inter alia*, refrain from constructing settlements in Jabal Abu Ghneim. Such actions are definitely undermining the peace process in the region.

At the very centre of the peace process is the full realization of the right of self-determination of the Palestinians, led by the Palestine Liberation Organization, leading to complete nationhood. The Government and the people of Namibia express their unflinching solidarity with the people of Palestine. In this regard, significant momentum has to be given to the peace process so as to ensure the enjoyment by the Palestinian people of their economic, social and cultural rights, which constitute an essential component of the right to self-determination.

We are continuously witnessing an ever-increasing escalation of violence in the region, which in turn

aggravates the already fragile peace negotiations. The unfortunate bloodletting of people on both sides warrants that the leaders in the region should gather round the table so as to give peace a chance.

Our message to the concerned parties has not changed: there is no alternative to peace, and we cannot coexist with violence. The Republic of Namibia reiterates its firm belief in keeping hope alive with a view to finding a just, comprehensive and durable peace for the whole of the Middle East. This is what the whole world is hoping for and expecting from all the leaders in that strategic region. To this end, Namibia urges all Arab and Israeli leaders not to relent in their efforts within the framework of the agreed principles and timetables.

At the recent XII Ministerial Conference of the Movement of Non-Aligned Countries, held in New Delhi, the Ministers reaffirmed their unequivocal support for the right to self-determination of the Palestinian people. Furthermore the Non-Aligned Ministers supported the ongoing peace process and called on the Government of Israel, among other things, to abide by its obligations and its commitments to implement the terms of the agreements in keeping with the agreed timetable. They noted too that Israel has failed to respect and carry out the relevant decisions of the Security Council.

Namibia, as a member of the Non-Aligned Movement, was fully committed, in conformity with that mandate from New Delhi, to convening this emergency special session to devise ways and means of finding a mutually satisfactory agreement based on the principles of international law.

The fact that the General Assembly has convened is in keeping with what our Ministers requested the United Nations to do, since it is one of its responsibilities to maintain international peace and security. The United Nations has a permanent responsibility towards Palestine until all the problems relating to the peace process have been resolved. Thus, the adoption of a resolution on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestine territory is definitely appropriate. The Namibian delegation will support it.

Mr. Hasmy (Malaysia): We are meeting today in accordance with a rare and exceptional procedure which, in the history of the United Nations, has been resorted to only in very grave circumstances. Very seldom has the membership of the United Nations been called into session in accordance with General Assembly resolution 377 (V), entitled "Uniting for peace". In this resolution, the General Assembly

> "Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter [in order] to maintain or restore international peace and security." *(resolution 377 (V), para. 1)*

Following the failure of the Security Council to adopt a resolution on account of the veto exercised by a permanent member, this tenth emergency special session of the General Assembly has been convened at the request of a large majority of Member States to address this issue of critical importance to the maintenance of peace and security in the region.

The situation in Palestine today is indeed grave. In the view of my delegation, the construction of an Israeli settlement south of East Jerusalem in Jabal Abu Ghneim constitutes a threat to the peace and stability of the entire region. Recent events, which have claimed several lives, have demonstrated the potentially explosive consequences of the Israeli actions. Unless the construction is stopped forthwith, it could seriously undermine the very foundations of the peace process — which have been painstakingly put together by the various parties concerned — with serious implications for peace and security in the region.

It is most regrettable that the prospects for peace in Palestine — indeed, in the Middle East — which had been most promising following the Madrid accords five years ago, are being jeopardized by the irresponsible and provocative actions of the Israeli Government, which have precipitated a fresh outbreak of violence. The General Assembly, through its resolution 51/223 of 13 March 1997, called on the Israeli Government, *inter alia*, to refrain from all actions or measures, including settlement activities, which could alter the facts on the ground and pre-empt the final status negotiations. This resolution, like many others in the past, fell on deaf ears in Israel. The Israeli programme of building new settlements continues unabated, in blatant violation of the Fourth Geneva Convention of 1949, is therefore completely illegal under international law and in defiance of the relevant General Assembly and Security Council resolutions.

It is patently clear that, since Israel's occupation of Jerusalem, successive Israeli Governments have pursued a policy of systematic Judaization of the city, in particular the Arab sector of East Jerusalem. Indeed, while the establishment of settlements in the other parts of the occupied Palestinian territories was initiated in mid-1968, the measures concerning Jerusalem commenced immediately after its occupation, leading to its illegal annexation by Israel on 28 June 1967, in defiance of international opinion and international law.

Over the years, Israeli policy on Jerusalem has been characterized by intimidation and harassment, the destruction of Arab property under various pretexts, the Judaization of the Arab economy in East Jerusalem by various political and administrative measures, and the registration of Arabs, which is aimed at depriving the absentees of their properties, which were then expropriated in accordance with the so-called absentee law of 1950.

It is pertinent to note that expropriation operations were carried out under the pretext of the public interest, but instead of hospitals, schools or roads, Israeli settlements have sprouted. Indeed, even excavations have been resorted to, ostensibly for archaeological purposes, only to lead to the collapse of many Arab houses and their subsequent abandonment by their owners for safety reasons. These latter practices have been condemned in no less than 13 resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The current policy of construction in Jabal Abu Ghneim is merely an extension of an established Israeli policy of systematically altering the character, demographic composition and legal status of Jerusalem. The international community, which we represent here, cannot allow the continued violations of international law and relevant United Nations resolutions, in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). These underscored the inadmissibility of the acquisition of territory by force and of changing the legal status of Jerusalem by altering the character and demographic composition of the Holy City.

My delegation therefore reiterates its strong condemnation of these Israeli actions, which are a breach of both the spirit and the letter of the peace accords signed between the Israeli and Palestinian sides. My delegation once again calls on the Israeli Government to heed the voice of the international community and to cease immediately all its settlement activities in the occupied Palestinian territories, including Jerusalem, which pose a serious threat to the continued viability of the peace process and, consequently, to regional peace and security.

Malaysia firmly believes that there can be no alternative to a just, comprehensive and lasting settlement to the Palestinian and the Arab-Israeli conflict, one that would bring durable peace and stability to all countries in the region, consistent with the various resolutions of the Security Council and the General Assembly and within the framework of international law. To this end, it is imperative that, in the wake of the failure of the Security Council to carry out its responsibility thanks — or rather, no thanks — to the use of the veto, the Assembly pronounce itself on this important issue of peace and security. We urge the Assembly to endorse strongly the draft resolution before it, so as to send a clear and unambiguous message to Israel that the international community does not approve of or condone its actions.

It is true that Israel has ignored many past and recent resolutions of both the General Assembly and the Security Council. However, this should not dampen the resolve of the international community to carry out its legitimate role and responsibility, as provided for in the Charter of the United Nations, and to convey once more its important message to Israel, a Member State of this Organization.

I should like to stress that, in doing this, we, the international community, are not about to interfere in the bilateral negotiations between the Israelis and Palestinians. We are merely expressing our serious concern at the possible negative impact of the continuing Israeli actions on these extremely delicate negotiations. Indeed, we are endeavouring to ensure that these negotiations will not be undermined or broken beyond repair because of the intransigence of one of the parties.

In conclusion, my delegation takes this opportunity to strongly reaffirm Malaysia's well-known position of total commitment and unwavering support for, and abiding solidarity with, the Palestinian people in their valiant struggle for a just and lasting peace and for an independent sovereign state of Palestine, with Jerusalem, the sacred city of Muslims, Christians and Jews, as its capital.

Mr. Insanally (Guyana): We meet today in an emergency special session because events in East Jerusalem and the rest of the occupied Palestinian territory have now jeopardized the Middle East peace

process and the fragile peace that has been achieved thus far. As Members of the United Nations, we have an obligation to preserve that process and to ensure that the situation does not deteriorate further.

The Declaration of Principles on Palestinian self-rule which was signed on 13 September 1993 had held out the promise of a definitive settlement of the question of Palestine. The international community regarded it as a quantum leap in the process and a sign of hopeful change. Yet several unhelpful developments have occurred since then. A controversial tunnel was constructed and opened in Haram Al-Sharif, in contravention of Security Council resolution 1073 (1996). Housing settlements continue to be built in disputed areas, much to the chagrin of the Palestinian people. They now appear to have lost all confidence in the peace process.

The Government of Guyana regrets that the Israeli Government has seen fit to proceed with the construction of another housing settlement in East Jerusalem despite objections by the Palestinians and the wider international community. In this connection we recall General Assembly resolution 51/223, adopted on 13 March 1997, which calls on Israel to, *inter alia*,

> "refrain from all actions or measures, including settlement activities, which alter the facts on the ground, pre-empting the final status negotiations, and have negative implications for the Middle East peace process" (*resolution 51/223, para. 1*).

The rights and interests of all States and peoples involved must be respected and honoured. The Government of Israel must recognize the inalienable rights of the Palestinian people. In turn, its own security concerns must be considered. For unless a just and comprehensive settlement is achieved, the Middle East will never have lasting peace and security.

This emergency special session must give at this time urgent attention to the many injustices being perpetrated against the Palestinians. The confiscation of lands, the demolition of homes, the expropriation of property, detention without trial and other violations of their human rights are serious issues which have to be addressed immediately. The Government of Guyana calls for a cessation of all policies and practices which threaten to worsen the situation. Israel and the Palestinian Authority must abide by the agreements reached in the peace accords. They must implement the United Nations resolutions regarding the question of Palestine and the Middle East process. They must proceed with the peace negotiations in order to achieve a fair settlement of all outstanding issues, including the status of Jerusalem, the cradle of several of the world's major religions.

In condemning the injustices against the Palestinians, and the threat which they represent for international peace and security, we call for full respect of the rights of all peoples, including the Palestinian people, to the right to self-determination, to sovereignty and to territorial integrity. These are important principles which the United Nations must uphold if it is to remain faithful to its Charter. It is to be hoped that this further step by the Assembly, acting pursuant to the General Assembly resolution on "Uniting for peace", will serve as a new dynamic in the continuing search for a settlement of the Palestinian question.

Mr. Petrella (Argentina) (*interpretation from Spanish*): Within less than 45 days, we find ourselves once again participating with concern in the debate on the question of Israeli settlements in East Jerusalem. We are doing so in order to ask the parties not to backtrack in the negotiations, which until recently they had been conducting jointly. Our words are simply the expression of our genuine wish to safeguard the process and to encourage the parties to renew their commitment to peace.

There is no alternative in the Middle East. Peace must be built on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), on the basis of the Madrid and Oslo agreements and within the conceptual framework of the principle of land for peace, which has inspired the entire negotiating process. For this objective to be attained, unilateral actions must be avoided that are counter to the essence of the process.

For that reason, the decision to build new settlements in East Jerusalem is cause for serious concern, as it changes the atmosphere of understanding and confidence that is a condition for progress in the negotiations. We therefore urge the Government of Israel to reconsider the measure and to assess its effects in the light of its ongoing and basic interests — to live in peace with its neighbours.

On the other hand, it is clear that without the recognition of the right of Israel to live within secure borders without any acts, or threats of acts, of violence, no peace will be possible. But at the same time there is

no doubt that there can be no peace process without respect for the legitimate rights of the Palestinian people.

In this connection, we reiterate what we said in the Security Council on 6 March: settlements in the occupied territories are illegal, as they contravene Security Council resolutions 252 (1968) and 446 (1979), among others, and because they violate the principle of the prohibition of the acquisition of territory by force, which is a basic norm of international law, as reflected in Article 2, paragraph 4, of the United Nations Charter.

At this crucial moment for the Middle East, we urge all to act with moderation and with a sense of commitment, to avoid unilateral and inflexible positions, which can only benefit extremists who do not want to see the peace process succeed. We ask that the atmosphere of mutual confidence be restored so that once again the parties can sit at the negotiating table and build together a new tomorrow.

Mr. Ngo Quang Xuan (Viet Nam): At the outset, on behalf of the delegation of Viet Nam, I would like to join previous speakers in expressing my thanks to you, Mr. President, for convening this emergency special session of the General Assembly to consider the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. Due to the extraordinary and urgent nature of the situation, my delegation concurred in the request for this meeting made by the Chairman of the Group of Arab States and the Chairman of the Non-Aligned Movement.

The present situation in the occupied Palestinian territory, including Jerusalem, particularly the commencement by Israel of the construction of the Jabal Abu Ghneim settlement to the south of occupied East Jerusalem, is of great concern to the entire international community. It has negative impacts on the Middle East peace process and poses a serious danger of making the recent hard-won progress more precarious. These actions must be strongly rejected, and an end must be put to them immediately. It is important at this juncture that the Security Council and General Assembly resolutions on this question be further reaffirmed and implemented.

The Vietnamese delegation urges that all efforts be made to seek a long-lasting and satisfactory solution to the issue. In this regard, the United Nations has an important role to play. However, owing to the use of the veto, on two successive occasions less than two weeks apart, the Security Council was blocked and could not exercise its role in maintaining international peace and security. On 13 March 1997, at its resumed fifty-first session the General Assembly adopted by an overwhelming majority a resolution calling for an immediate end to the construction of these settlements. This resolution has been bypassed. All these developments are regrettable. Under such circumstances, it has been necessary to convene this emergency special session of the General Assembly in order to help solve the problem and move the peace process in the Middle East forward.

Viet Nam has been following closely the developments in the Middle East, particularly as regards the question of Palestine. We have consistently supported the Middle East peace process. We welcome the significant progress that was recorded during the last few years, including: the signing of the Declaration of Principles on Interim Self-Government Arrangements in September 1993; the Israeli-Palestine Interim Agreement on the West Bank and the Gaza Strip of September 1995; and the successful holding, on 20 January 1996, of the first Palestinian general election for the Legislative Council and the presidency of the Palestinian National Authority. Particularly, we welcome as a positive step the recent signing, on 17 January 1997, of the Hebron Protocol, which has led to the redeployment of Israeli forces from most parts of Hebron. These achievements need to be sustained, and greater efforts must be made towards the full realization of the long-awaited comprehensive and just settlement in the region.

The New Delhi Ministerial Conference of the Non-Aligned Movement, from 4 to 8 April 1997, made it clear that, if the current situation resulting from the construction of the settlements in Jerusalem is continued, it will prompt further measures and actions by the countries of the Movement. This message needs to be taken seriously. All parties concerned should honour their commitments, show good faith and refrain from taking any measures that could undermine the peace process. In view of the seriousness of the situation and the urgent need to salvage the peace process, at the New Delhi meeting the ministers of the Non-Aligned Movement urged Israel to respond positively and ensure its compliance with all agreements and undertakings reached by the concerned parties on all tracks during the peace talks.

This emergency session should ensure that all efforts aimed at reaching a just, comprehensive and lasting peace in the region will be made and that effective measures will be taken immediately to remove the current obstacles

to the Middle East peace process, in implementation of the agreements already reached.

The Vietnamese delegation supports the early achievement of a comprehensive, just and lasting settlement which will ensure the exercise by the Palestinian people of their inalienable rights, including the right to self-determination and statehood.

Mr. Rodríguez Parrilla (Cuba) (*interpretation from Spanish*): This emergency special session of the General Assembly has been convened in response to unacceptable acts and for incontestable reasons.

On 26 February 1997, the Government of Israel decided to start building new settlements in southern Jerusalem, in flagrant violation of the terms of the Middle East peace process.

The international community, and in particular the States of the Middle East, appealed to the United Nations Security Council in the hope that that body would assume its responsibility for the maintenance of international peace and security and would adopt appropriate measures requiring Israel to rescind its decision.

Contrary to the will of international community, the Security Council, through its failure to act, once again decreed total impunity for the actions of the occupying Power.

On 13 March 1997, the General Assembly considered the situation in an urgent meeting and adopted resolution 51/223 by an overwhelming majority. As usual, only Israel and the United States voted against the resolution. Less than 24 hours after that adoption, the Government of Israel officially announced the start of construction work on the new settlements. On 21 March 1997, the Arab Group brought the matter before the Security Council for the second time. A new draft resolution was submitted, and the United States again used its veto.

The facts show again that the Security Council is not capable of fulfilling its responsibility or of using its powers to maintain international peace and security when the hegemonic interests of a permanent member are imposed, and that member uses its veto power arbitrarily and irresponsibly. This is especially significant in cases such as this one, in which there is a genuine threat to international peace and security, global concerns are raised and the issue draws the overwhelming support of the international community.

The bare facts show that the calls for peace and justice of the peoples of the Middle East and the occupied Arab territories are not being heard in the Security Council. The Security Council's capacity to make decisions and take action continues to be held hostage, as a result of the existing imbalance in the composition and structure of that body, to the anachronistic and antidemocratic institution of the veto, to its unrestricted use and to the lack of democracy and transparency of the Council's procedures.

For these reasons, among many others, Cuba, as a State Member of this Organization and of the Non-Aligned Movement, supported the convening of this emergency special session from the outset. The Charter of the United Nations extends broad functions to the General Assembly in the maintenance of international peace and security. It is regrettable that the provisions of the Charter continue to be interpreted in a selective, distorted and restrictive manner that runs counter to the legitimate interests of the membership of the Organization. Nevertheless, the political will of sovereign States has prevailed and, under the resolution entitled "Uniting for peace", the General Assembly is again taking up the cause of the Palestinian people and of all the peoples of the Middle East, thereby defending the feelings of humankind and the legitimate interests of the international community.

Cuba joins in the international community's denunciation and condemnation of the decision made by the Government of Israel on 26 February 1997, as it constitutes a flagrant violation of the basic principles of the peace process in the Middle East and a new and unacceptable challenge to the right of the Palestinian people, and of all the peoples of the occupied Arab territories, to a future of peace.

The renewed demonstration of the aggressive policy of Israel is in violation of international law and of the most basic norms of international humanitarian law, including the Fourth Geneva Convention of 1949 and the Hague Rules of 1907. That decision is in violation of all Security Council resolutions dealing with the nature of the Israeli settlements in the occupied Arab territories. It is also in violation of General Assembly resolutions on the peace process in the Middle East, which are politically and morally binding, as they were adopted by the sole universal organ and the highest political forum of this Organization.

Israel's violation of the Madrid and Hebron agreements jeopardize the peace process in the Middle East and constitute a real threat to international peace and security. Cuba reaffirms and supports the right of the Palestinian people to have its own State, with Jerusalem as its capital. Cuba demands the withdrawal of Israel from all occupied Arab territories. Cuba condemns the building of new Israeli settlements in Jerusalem, because they are an expression of the ongoing aggressive policy of the occupying Power, aimed at altering and modifying, through legislative and administrative actions and measures, the character, legal status and demographic composition of Jerusalem.

Cuba reaffirms that the Israeli settlements in all Arab territories occupied since 1967 are illegal and constitute an obstacle to a just and lasting peace in the Middle East. Cuba condemns Israeli practices in the occupied Palestinian territories, including Jerusalem, as they are in violation of the Fourth Geneva Convention, in particular article 1, which calls for observance of the provisions of the Convention in all circumstances. Cuba calls on Israel to accept the international legal validity of the Fourth Geneva Convention and its applicability to all Arab territories occupied since 1967.

Cuba supports the just and firm position of the Arab countries in the face of the actions of the Government of Israel. Cuba hopes that the General Assembly will assume its responsibility under the Charter for the maintenance of international peace and security and will be equal to the special circumstances that have brought us here today.

Mr. Park (Republic of Korea): Since the early years of this decade it has often been argued, both in this Hall and in the Security Council Chamber, that world politics has entered a new era of greater cooperation and interdependence among nations and freedom from the threat of all-out global war. The United Nations has reflected this change, as is shown by the effective manner in which it has implemented various peacekeeping operations to help defuse conflicts and minimize instability around the globe. Although our membership in this Organization is only six years old, and we have therefore never participated in a session of this nature, it might have seemed to a country like the Republic of Korea that this new post-cold war climate of cooperation and dialogue among nations had ended the need for such an institutional mechanism as the emergency special session of the General Assembly. Unfortunately, that is not the case.

In this regard, it is especially sad that the United Nations membership finds itself having to convene an emergency special session to deal with a problem whose cause is so obvious and whose solution is so clear-cut. Indeed, the General Assembly resolution adopted by an overwhelming majority last month provides a well-defined blueprint for how to resolve the crisis triggered by the Israeli measures in East Jerusalem. In this regard, my delegation cannot emphasize enough that if the solemn calls had not gone unheeded — calls to, among other things, refrain from all actions that alter the facts on the ground, thereby pre-empting the final status negotiations — this emergency special session would not have been necessary. Regrettably, however, the situation has continued unchanged.

My delegation is especially concerned that this seemingly simple issue could deal a fatal blow to the entire peace process, considering the timing of the Israeli measures and the sensitivities involved. As we have already suggested, the resolution of this crisis is totally within the reach of both parties. The settlement activities should cease fully and immediately, and, at the same time, candid and open-ended discussions should begin on all remaining issues. If the appropriate steps are not taken soon, we fear that momentum for the peace process may be irrevocably lost. In this regard, we have every confidence in the wisdom and courage of both the Israelis and the Palestinians, who, in the impressive progress they have made in the peace process so far, have proved their ability to move forward together in a spirit of cooperation and reconciliation.

The Republic of Korea has been a resolute and consistent supporter of the Middle East peace process, and we remain convinced that this is the only path which will be able to make the region more stable and prosperous.

By the same token, the entire international community has followed the ups and downs of the peace process with keen interest, for the situation in the Middle East has weighty political and economic implications not only for the region, but globally as well.

In light of the history of this issue, we also believe that Israelis and Palestinians alike are now presented with a momentous opportunity finally to overcome the animosity and distrust which have plagued their relations for generations. Indeed, if both parties can step back from the heat of conflict and think about what kind of world they wish to leave to their children, it is clear that

the only course on which relations should be set is one towards peace and reconciliation.

In closing, my delegation would like to reiterate the importance of dialogue between the parties and urge both sides to sit down together with new vigour and commitment so that the peace process can be revived and a just, lasting and comprehensive peace in the Middle East, based upon Security Council resolutions 242 (1967) and 338 (1973), can finally be achieved.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): My delegation would like to thank you, Sir, and the Secretary-General for having convened this emergency special session of the General Assembly, because such a session is crucial at this point in time.

My country learned with concern and disapproval of the decision of the Government of Israel to build a Jewish settlement in the heart of Jerusalem, specifically in Jabal Abu Ghneim, planned to contain 6,500 housing units. This decision, taken on 26 February 1997, to build a settlement within the territories confiscated in 1991 and 1992 is aimed at isolating and altering the status of East Jerusalem. Ultimately, it is designed to bolster the illegal Israeli policies in the occupied territories and constitutes a blatant violation of all international resolutions on the maintenance of the status and demographic composition of Jerusalem.

This decision is yet another in a series of provocations, the most recent of which was the opening of a tunnel in the Holy City. It is no secret that such actions aim at creating an illegal situation that will strengthen the occupation and give Israel an edge in the final political settlement. Such a settlement, however, cannot be foremost in the considerations of the current Israeli Government, since it continues to reiterate that Jerusalem is the eternal capital of Israel.

Israel has been denying the Palestinians their historic right to live in their own city. It takes measures to isolate the city from other Palestinian territories, in flagrant violation of many Security Council resolutions on Jerusalem, which clearly stipulate that all legislative and administrative measures taken by Israel in regard to the city are null and void and without legal foundation. All these resolutions have also called on Israel to desist from all measures and actions tending to alter the legal status and demographic composition of the city.

The peace process — which began in Madrid in 1991 on the basis of Security Council resolutions and the formula of land for peace — led to the signing of the Declaration of Principles in 1993 and the Interim Agreement on the West Bank and the Gaza Strip of 1995 between the Palestine Liberation Organization and the Government of Israel. These agreements have all had positive results in the Middle East region. As the benefits of the peace process began to emerge, expectations rose among the peoples of the region and the entire world. Then a new Government took power in Israel, pursuing a policy that negated the peace accords and threatened to undermine and destroy the entire peace process, thus bringing the entire region to the brink of violent eruption.

Israel must recognize that the international situation has changed and that there can be no return to the mentality of occupation and the acquisition of territory by force, which would undoubtedly have dire consequences. The right of self-determination, including that of the Palestinian people, is secured by international covenants, to which Israel adheres. Israel must recognize that its status is precisely the same as that of any other Member State that must respect the rules of international law. It cannot create a specific reality on the ground to advance its expansionist policies. Moreover, the policies of the extremist Israeli Government are not in line with prevailing international relations.

This emergency special session was convened to debate the illegal actions of Israel in Jerusalem and throughout the occupied Palestinian territories. The General Assembly must therefore take adequate measures to compel Israel to desist from taking such actions and any measures tending to affect the status of Jerusalem and to put a halt to the Jabal Abu Ghneim settlement and any other settlement activity.

The State of Bahrain believes that the General Assembly — in order to maintain international peace and security under the provisions of the Charter and to support the peace process, which is threatened with collapse by the Israeli Government's provocative actions — must intervene immediately in order to prevent Israel from pursuing its expansionist and settlement policies and from judaizing the city. Thus, we must all support the draft resolution before the Assembly on this issue in order to put an end to these actions; maintain the viability of the peace negotiations; secure a just, lasting and comprehensive settlement of the Palestinian questions; and put an end to the Israeli occupation of Arab territories in the Syrian Golan and southern Lebanon.

Mr. Al-Sameen (Oman) (*interpretation from Arabic*): To speak of the Holy City of Jerusalem would take too long. I shall not address the sensitive issue of Jerusalem, which is the cradle of holy religions.

We all know that Jerusalem is an Arab city occupied, like other Arab territories, by Israel. In a race against time since 1980, when it took the illegal decision to proclaim Jerusalem its eternal capital, Israel has been trying to impose a de facto situation in order to determine the future of the Holy City. This decision was followed up with measures to judaize and alter the material characteristic of Jerusalem.

Israel is indeed forcing the Palestinian Arabs to leave. It expropriates their lands, destroys their houses and, under various pretexts, prevents the building of new housing. At the same time, it has built thousands of housing units for Jewish settlers.

The peace process is in danger of collapsing under the blows of irresponsible Israeli practices. The situation in the occupied territories is getting worse, and nothing good is in store. Israel has decided to build a settlement at Jabal Abu Ghneim in East Jerusalem. This was condemned in March of this year by General Assembly resolution 51/223 when it proved impossible for the Security Council to adopt a draft resolution because of the veto by the United States.

The city of Jerusalem is an integral part of the Palestinian territories occupied since 1967. Everything that applies to the other Palestinian territories is also applicable to it, in accordance with the relevant resolutions of the international community, in particular Security Council resolutions 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), and General Assembly resolution 51/223 of 1997, the Assembly's most recent on this issue.

All these Israeli practices can be interpreted as nothing other than an Israeli rejection of international peace efforts. Israel defies all these efforts, including the relevant resolutions.

I recall too that the Oslo and Taba agreements provided that the questions of Jerusalem, settlements, refugees, borders, military zones and Palestinian water rights would be discussed at the final stage of the negotiations, a stage which was to have begun on 4 May 1996.

Oman reaffirms its solidarity with the Palestinian people. It supports the position of the Palestinian National Authority with regard to the complete withdrawal of Israeli forces from all Palestinian territories occupied since 1967. The Palestinian National Authority must get control over all its territories, including Jerusalem. The Sultanate of Oman calls upon Israel to respect international resolutions, to refrain from building the new settlement at Jabal Abu Ghneim and from taking any measures aimed at changing the legal, political, geographical or historical character of Jerusalem, and to respect all the agreements it has entered into with the Palestinian National Authority.

The Sultanate of Oman endorses all Arab resolutions adopted since the 1997 Cairo summit and the resolution adopted on 31 March 1997 by the Council of Ministers of Arab States. We support them, just as we support the resolutions of the Islamabad summit of the Organization of the Islamic Conference.

Mr. Saliba (Malta): I would first like to thank the President for convening this emergency special session. The convening of this emergency special session is in itself a reminder of the commitment of the international community to international peace and security. It reaffirms the understanding of the permanent responsibility of this Organization with regard to the question of Palestine. It is even more crucial because it underpins the desire of the international community once again to instil confidence into the Middle East peace process.

The item under consideration has been a focus of attention for some time. The various organs of this Organization have grappled with it. Member States of the United Nations have pronounced themselves on different occasions and have demonstrated their concern with respect to developments in the Middle East. Notwithstanding such pronouncements, activities on the ground have continued to evolve.

The events which urged us to convene this session cannot be viewed in a vacuum. Their implications are not to be assessed solely as events impacting on a particular side or region. It is the thwarting of efforts to build peace and the actions which threaten to cut off a process that only recently took root that will have to be assessed by the international community.

The Middle East has been blessed with hope for a different future, one in which communities and

generations can live together in confidence and mutual trust. We witnessed positive developments with the recent Hebron agreements, which were a signal of the parties' willingness to build peace. The construction of new housing units in the Jabal Abu Ghneim area of East Jerusalem stands in stark contradiction to this spirit, and is deplorable. It has led to a spiral of violence and has reversed the delicate process of confidence-building that had until recently been the hope upon which the Palestinian and Israeli communities envisaged a future.

Actions that seek to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, can be interpreted as contravening relevant Security Council and General Assembly resolutions, as well as the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. The status of East Jerusalem remains subject to the principles set out in Security Council resolution 242 (1967), notably that of the inadmissibility of the acquisition of territory by force.

As stated by my Deputy Prime Minister during the Euro-Mediterranean ministerial conference held last week in Malta, the Middle East peace process is passing through a most critical and delicate phase. He said that, whereas the Euro-Mediterranean partnership should not intrude directly in the peace process, it could contribute to its progress by finding how best to act in the spirit of the Barcelona understanding. It is the hope of my Government that the contacts made and the understandings reached during that event between the political leaders of the parties concerned will help to establish a basis for the renewal of the Middle East peace process.

Respect for the principles of international law and for the principles to which the parties have agreed in the peace process are crucial if a just and long-lasting solution to the question of Palestine is to be achieved.

Malta joins others who have called on the leaders in the region and beyond for a recommitment to the objectives of peace. It is through the committed courage of leaders that peoples may come to reap the benefits of peace, a peace which we augur can become a reality for the generations of Israelis and Palestinians who have lived under the shadow of mistrust for far too long.

The Government of Malta joins the international community in calling for the immediate and full cessation of construction in Jabal Abu Ghneim and other Israeli settlement activities and of illegal measures and actions in and around Jerusalem that militate, in one way or another, as a result of fact or through perception, against the general thrust of the peace process.

Mr. Farhadi (Afghanistan) (*interpretation from French*): This emergency special session of the General Assembly is as essential as the other sessions of this nature that have been convened at intervals over a period of many years, always for one and the same reason: a dangerous situation in the Middle East. On this occasion the circumstances are even more serious, because the peace process — so difficult to launch and still so very fragile — has been dangerously compromised.

Allow me to recall a historic emergency session in 1967. As a member of the delegation of Afghanistan, I took the floor in this very Hall to explain how much Jerusalem means to the world's Muslims. Mr. Abba Eban, the Israeli Minister, assured the Assembly that the spiritual rights of the Muslims and the Christians would be respected. But what has happened since then has run counter to Mr. Abba Eban's famous promises — hence the situation we find ourselves in now.

The question of Jerusalem is not simply a Palestinian or an Arab issue but essentially an Islamic one. Let us recall that Islam is an Abrahamic religion. The Holy Koran says that Jerusalem is the eternal spiritual capital of all Muslims and of all believers throughout the world. As regards the Christians and Jerusalem, many of our colleagues here have already read the statement by His Holiness the Pope as well as other Christian statements.

Three years ago, the international community believed that the parties to the conflict were in agreement concerning the basic principles underlying the land for peace formula. Today, however, it is concerned because its desire for a just, lasting and comprehensive settlement to the Middle East conflict is being thwarted, opposed by the Power that is occupying the Palestinian territories. The current crisis was born of the Israeli Government's decision to begin building a settlement in the Jabal Abu Ghneim suburb, south-east of Jerusalem, which constitutes a flagrant violation of the agreements concluded within the framework of the peace process and of the relevant United Nations resolutions, and can only aggravate an already dangerous situation.

Indeed, a large part of Palestinian territory continues to be occupied. Arab Jerusalem is still occupied, and the

occupying Power is doing everything it can to destroy the Arab nature of Jerusalem. Armed settlers in the occupied territories are encouraged to believe that the land where they are living has belonged to them for 2,000 years. The situation is deteriorating because of the frequent border closures and other intolerable unilateral measures, which undermine the foundations of peaceful coexistence.

Despite the technical inability of the Security Council to adopt a resolution on the current crisis, one fact is already established: Security Council resolutions 252 (1968) and 476 (1980) clearly and firmly indicate that any such measures taken by Israel in Jerusalem are illegal and therefore null and void.

Historical experience has shown clearly that those who do not respect the principle of the inadmissibility of the acquisition of territory by force are not on the path to peace. Those who intransigently persist in building settlements in their neighbours' territories — territories that were occupied following a war of aggression — will always face the resistance of the peoples living in those occupied territories, which they justly regard as belonging to them.

Those who do not fear the repercussions of their own unilateral acts will face recurring conflicts in both the short and the long term. Those who do not resolutely try to avoid a cycle of violence and hatred will never muster the strength to overcome the consequences of their disregard for the practical conditions necessary for coexistence and peace. Those who ignore the requirements for a peaceful and fair settlement, or the legitimate demands and rights of peoples living under occupation, clearly do not care about peace or security in the region or about the future of the peace process.

Those who do nothing to build confidence and instead carry out acts that destroy all hopes of peace will never know peaceful coexistence with their neighbours.

Building these settlements means destroying the foundations of peace. The international community will never agree to cast aside the principle of a negotiated solution based on Security Council resolutions 242 (1967) and 338 (1973).

The world calls upon the occupying Power to put an end to the policy of colonization, and to put an end to unilateral measures and machinations intended to destroy the Arab nature of Al-Quds Al-Sharif. We hope that a draft resolution will be submitted tomorrow morning, will be studied and will be adopted by the Assembly.

The Acting President: I should like to inform members that, in connection with this item, a draft resolution, under the symbol A/ES-10/L.1, is now available at the documents counter at the back of the General Assembly Hall.

Mr. Shah (India): When I spoke in the General Assembly last month, we did not think that I would so soon be speaking again on the issue of Palestine. Once again, the General Assembly is meeting because the Security Council has been stalemated by the use of the veto. Once again, the highest political body of the United Nations, the General Assembly, has had to convene to take a decision on an important issue involving peace and security.

At the recent XII Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi, which concluded just a little over two weeks ago, the Non-Aligned Movement member countries had the privilege of hearing President Arafat in a special session of the ministerial conference, give a detailed presentation on the state of the peace process in the Middle East and the implications of the construction of the settlement by Israel at Jabal Abu Ghneim to the south of East Jerusalem.

The Ministerial Conference also adopted a communiqué on Palestine. It emphasized that collective and effective measures must be taken immediately at the United Nations to address the problems caused by the failure of the Security Council to discharge its responsibilities because of the unfortunate lack of unanimity among the permanent members. It is in pursuance of that proposal that we are meeting today in this emergency special session.

The final communiqué adopted by the Non-Aligned Ministerial Conference in New Delhi addressed the persistence of the Government of Israel in its policies of establishing Jewish settlements in the occupied Palestinian territory and enlarging existing ones. The communiqué declared these activities to be illegal and in violation of the relevant international resolutions, and to be a breach of contractually binding agreements, commitments and guarantees between the parties concerned.

While supporting the ongoing peace process, the ministers expressed their grave concern that the Government of Israel had failed to abide by its obligations and by its commitment to implement the terms of the agreements according to the agreed

timetable. The ministers also expressed concern that Israel had failed to respect and carry out the relevant decisions of the Security Council.

It is necessary that Israel cease the construction of its new settlement in Jabal Abu Ghneim to the south of East Jerusalem. As I had occasion to state in this Assembly last month, my Government has consistently maintained, and we continue to maintain, that unilateral steps that are not in conformity with past agreements and understandings will hinder the Middle East peace process and vitiate the atmosphere needed to build the mutual confidence that is essential if the peace process is going to make progress.

It is our sincere hope that Israel will soon realize the strength of international opinion, which cuts across the continents, and take the necessary action to put the peace process back on track. What is most important at this point in time is for the international community to continue to make an all-out effort to restore the Middle East peace process, and for all parties concerned to intensify their efforts to find a just, comprehensive and lasting peace in the region. The need of the hour is to restore and build mutual confidence.

Any steps that derogate from these objectives must be halted. It is the hope of my delegation that the message that will emerge from this emergency special session is that the international community is committed to the success of the peace process in the Middle East, which entails, *inter alia*, the Palestinian people achieving their legitimate rights, and all States in the region living within internationally recognized boundaries.

Scale of assessments for the apportionment of the expenses of the United Nations (*continued*)

The Acting President: I should like to inform members that since the announcement made this morning concerning document A/ES-10/3, the Secretariat has informed me that Mauritania has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly takes note of this information?

It was so decided.

The Acting President: This information will be reflected in the final version of document A/ES-10/3.

The meeting rose at 6.35 p.m.

United Nations A/ES-10/PV.3

General Assembly
Tenth Emergency Special Session

Official Records

3rd plenary meeting
Friday, 25 April 1997, 10 a.m.
New York

President: Mr. Razali Ismail ..... (Malaysia)

In the absence of the President, Mr. Minoves-Triquell (Andorra), Vice-President, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 3 of the provisional agenda *(continued)*

Credentials of representatives to the tenth emergency special session of the General Assembly

(b) Report of the Credentials Committee (A/ES-10/5)

The Acting President: The draft resolution recommended by the Credentials Committee in paragraph 12 of its report (A/ES-10/5) was adopted without a vote in the Committee.

May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution ES/10-1).

Agenda item 5 of the provisional agenda *(continued)*

Illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories (A/ES-10/L.1)

The Acting President: I call on the representative of Indonesia to introduce draft resolution A/ES-10/L.1.

Mr. Sriwidjaja (Indonesia): I deem it a distinct honour and privilege to introduce, on behalf of the sponsors — Afghanistan, Algeria, Bahrain, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Egypt, India, Indonesia, Jordan, Kuwait, Madagascar, Malaysia, Mauritania, Mauritius, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sierra Leone, Sudan, Tunisia, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe — the draft resolution contained in document A/ES-10/L.1 concerning illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

By the terms of the preambular paragraphs of the draft resolution, the General Assembly would express awareness of the commencement, after the adoption of General Assembly resolution 51/223, of construction by Israel, the occupying Power, of a new settlement in Jabal Abu Ghneim to the south of East Jerusalem on 18 March 1997, as well as of other illegal Israeli actions in Jerusalem and the rest of the occupied Palestinian territory.

It would note with regret that the Security Council, at its 3747th meeting and at its 3756th meeting, failed twice to adopt a resolution on the actions referred to above, as a result of the negative vote of a member of the Council. It would reaffirm the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects

97-85490 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

and also the principle of the inadmissibility of the acquisition of territory by force.

The Assembly would consider the serious deterioration of the situation in the occupied Palestinian territory, including Jerusalem, and in the Middle East in general, including the serious difficulties facing the Middle East peace process, as a result of recent Israeli actions and measures. It would affirm its support for the Middle East peace process, started at Madrid in 1991, on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace and for the full and timely implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as of all commitments reached between the parties.

The Assembly would recall its relevant resolutions, including resolution 181 (II) and 51/223, and the relevant resolutions of the Security Council, in particular those on Jerusalem and Israeli settlements in the occupied territories, including resolutions 252 (1968), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 672 (1990) and 1073 (1996). It would reaffirm that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and the protection of the unique spiritual and religious dimension of the City, as foreseen in relevant United Nations resolutions on this matter.

The Assembly would further reaffirm the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 and the Hague Regulations of 1907 to the occupied Palestinian territory, including Jerusalem, and all other Arab territories occupied by Israel since 1967.

Through the preambular paragraphs, the Assembly would also recall the obligation of the high contracting parties to the Geneva Convention to respect and ensure respect for the Convention in all circumstances, in accordance with article 1 of the Convention. It would express its awareness of the serious dangers arising from persistent violation and grave breaches of the Convention and the responsibilities arising therefrom.

The Assembly would express its conviction that ensuring respect for treaties and other sources of international law is essential for the maintenance of international peace and security, and its determination, in accordance with the preamble of the Charter of the United Nations, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained. In this context, it would express its conviction that the repeated violation by Israel, the occupying Power, of international law and its failure to comply with relevant Security Council and General Assembly resolutions and the agreements reached between the parties undermine the Middle East peace process and constitute a threat to international peace and security.

The Assembly would express increasing concern about the actions of armed Israeli settlers in the occupied Palestinian territory, including Jerusalem, and, finally, its awareness that, in the circumstances, it should consider the situation with a view to making appropriate recommendations to the Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 1950.

Through operative paragraph 1 of the draft resolution, the General Assembly would condemn the construction by Israel, the occupying Power, of a new settlement in Jabal Abu Ghneim to the south of occupied East Jerusalem and all other illegal Israeli actions in all the occupied territories.

In operative paragraph 2, the Assembly would reaffirm that all legislative and administrative measures and actions taken by Israel, the occupying Power, that have altered or purported to alter the character, legal status and demographic composition of Jerusalem are null and void and have no validity whatsoever.

In operative paragraph 3, the Assembly would also reaffirm that Israeli settlements in all the territories occupied by Israel since 1967 are illegal and an obstacle to peace.

Operative paragraphs 4 and 5 contain demands for an immediate and full cessation of the construction in Jabal Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem; that Israel accept the *de jure* applicability of the Geneva Convention to all the territories occupied since 1967; and that it comply with relevant Security Council resolutions, in accordance with the Charter of the United Nations.

Operative paragraph 6 stresses the need to preserve the territorial integrity of all the occupied Palestinian territory and to guarantee the freedom of movement of

persons and goods in the territory, including the removal of restrictions into and from East Jerusalem, as well as the freedom of movement to and from the outside world; while operative paragraph 7 contains a call for the cessation of all forms of assistance and support for illegal Israeli activities in the occupied Palestinian territory, including Jerusalem, in particular settlement activities.

Operative paragraph 8 recommends to the States that are high contracting parties to the Geneva Convention to take measures, on a national or regional level, in fulfilment of their obligations under article 1 of the Convention, to ensure respect by Israel, the occupying Power, of the Convention.

The Secretary-General is requested under paragraph 9 to monitor the situation and to submit a report on the implementation of this draft resolution, within two months of its adoption, in particular on the cessation of the construction of the new settlement in Jabal Abu Ghneim as well as of all other illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

Operative paragraph 10 expresses the need for scrupulous implementation of the agreements reached between the parties, and urges the sponsors of the peace process, the interested parties and the entire international community to exert all the necessary efforts to revive the peace process and ensure its success.

Operative paragraph 11 recommends that a comprehensive, just and lasting solution to the question of the City of Jerusalem, which should be reached in permanent status negotiations between the parties, should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the Holy Places by the faithful of all religions and nationalities.

By operative paragraph 12, the Assembly would reject terrorism in all its forms and manifestations, in accordance with all relevant United Nations resolutions and declarations.

Finally, through operative paragraph 13, the Assembly would decide to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly to resume its meetings upon request from Member States.

We are all only too mindful of the series of events which have made the present emergency special session of the General Assembly necessary. We are equally conscious of the exceptional significance of an emergency special session of the General Assembly, called in accordance with resolution 377 (V), entitled "Uniting for peace". Yet I deem it useful at this juncture to refer to the statement of the Permanent Observer of Palestine to the United Nations yesterday, who so eloquently placed the present emergency special session in its proper context. He reminded us that we are indeed uniting for peace: uniting against the violation of international law and United Nations resolutions; uniting to confront the arrogance of power and the mentality of occupation; uniting to oppose the misuse of the veto and attempts to neutralize the Security Council; uniting to rescue the Middle East peace process; and uniting for a just solution to the question of Palestine and the establishment of a just, lasting and comprehensive peace in the region.

The draft resolution before the Assembly is indeed a draft to unite for peace. Thus, on behalf of the sponsors, I commend the adoption of the draft resolution by this Assembly.

Mr. Jonah (Sierra Leone): I should like to begin by commending the United States Government for its foresight in shepherding, in 1950, the draft text that resulted in the resolution under whose provisions we are meeting today. My delegation has given full consideration to the views of those who question the wisdom of convening this tenth emergency special session. Nevertheless, Sierra Leone, in supporting the convening of this session of the General Assembly, has been guided by some weighty considerations which formed a significant part of the case that John Foster Dulles made on 1 November 1950, when he urged Member States to support the draft resolution that became resolution 377 (V).

Those pivotal considerations were formulated according to certain principles. First, at San Francisco in 1945, the small and medium-sized States had agreed to the right of veto only on condition that the General Assembly was granted the power to intervene and to make recommendations within the framework of Chapters VI and VII of the Charter, in cases in which the Security Council was unable to discharge its primary responsibility. Secondly, Mr. Dulles emphasized that the United States considered that the responsibility for maintaining peace was not the monopoly of the great Powers, and that informed world opinion was the factor most likely to affect the course of events. There was even every reason to believe that, better than any other organ,

the General Assembly would reflect world opinion on the question of what was right — in other words, the supremacy of law. Thirdly, it was understood that the very fact that the General Assembly would stand ready to act if the Security Council failed to fulfil its primary responsibility would stimulate the members of the Council to cooperate so that that organ might function as was contemplated in the Charter.

My delegation believes that these considerations are as relevant today as they were then. That is why we cannot agree with the notion that discussion in the General Assembly of the situation in the Middle East or the question of Palestine is antagonistic to the peace process. There is ample evidence to demonstrate that deliberations in the General Assembly on these question have made significant contributions to the long-term peace process in the area. It should be borne in mind that invoking the provisions of resolution 377 (V) during the Suez crisis in 1956 made it possible for the General Assembly to authorize the very first United Nations peacekeeping operation.

In the aftermath of the June 1967 conflict in the Middle East, the General Assembly met in a very important special session. Let me recall what the veteran former Israeli Foreign Minister, Mr. Abba Eban, said in his autobiography about the outcome of that session. He wrote:

> "There was no doubt that Israel had gained one of the greatest political victories of her international career."

Furthermore, it was as a result of the deliberations at that emergency special session that the Security Council was compelled to meet again, and eventually adopt the now-famous Security Council resolution 242 (1967), which remains the bedrock of all peace efforts today in the Middle East.

All the parties involved today in the Middle East have reached a consensus that the Oslo peace process is in grave danger of collapse, and there are no immediate prospects for arresting the present deteriorating trend. In these circumstances, how can the General Assembly remain silent, particularly when the use of the veto, twice within a brief period, has frustrated all action by the Security Council?

The Middle East, or West Asia as some would like to call the region, remains a strategic flash point, despite the end of the cold war. Even though enormous progress has been made in recent years, the deplorable conditions in which the Palestinian refugees live remain unimproved. My delegation therefore believes that the time is opportune for the United Nations, through the General Assembly, to make its contribution.

We value the critical role played by the United States Government in the peace process, and we continue to believe that direct negotiation is an ideal objective. But we cannot ignore the fact that adverse political rhetoric and imprudent actions have weakened the foundations of peace in the area. We all applauded the commencement of the Oslo peace process and the early efforts to implement the agreement, but we are definitely now at an impasse, and urgent action is required.

My delegation stands ready to cooperate with all concerned to ensure that the peace process is put back on track.

Mr. Richardson (United States of America): Twice in the Security Council, and once in this Assembly, I have made clear my Government's view of Israel's decision to begin construction at Har Homa/Jabal Abu Ghneim: it is unhelpful to the peace process. On those occasions, I voted against the draft resolutions that had been submitted because the United States did not believe that they would have advanced the peace process. Today, as a sponsor of that process, the United States urges members of this Assembly to vote against the draft resolution before us, which we believe will actually make harder the difficult task before us: rebuilding confidence between the parties and reactivating a productive negotiation process.

Let me repeat that my Government shares the concerns expressed here and in the Security Council about the decision of the Israeli Government to begin construction at this site. As President Clinton said last month, we would have preferred that this decision had not been made. It undermines the trust and confidence so badly needed in creating the appropriate environment for successful negotiations, especially on the difficult issues involved in the permanent status talks.

The achievement of a just, lasting and comprehensive peace in the Middle East requires an honest negotiating process. The parties must take special care to avoid pre-emptive actions that can be seen to prejudge the outcome of negotiations, while working hard to nurture an atmosphere of trust and confidence that will make productive negotiations possible. The decision on Har Homa/Jabal Abu Ghneim did just the opposite. We regret that it was taken.

However, our responsibility as a co-sponsor of the peace process requires us to tell our friends in the United Nations frankly: the Security Council and the General Assembly should not insert themselves into issues that the negotiating partners have decided will be addressed in the permanent status talks. This can only harden the positions of both sides and make their work even more difficult. It will add to existing tensions in the region, complicate the efforts of all parties to get the negotiations back on a productive track and distract attention from the main objective: making progress towards a peaceful, prosperous Middle East. Such progress is the shared goal of most of us in this Hall.

However, the draft resolution now before the General Assembly will fail to help achieve that goal. It is harmful to the prospects for revitalizing the Middle East peace process. The call made by some speakers yesterday for collective action against a Member State is inconsistent with the responsibilities of the Assembly and dangerous for the credibility of the United Nations.

In addition, the draft resolution contains language that tends to prejudge certain permanent status issues, such as Jerusalem. We believe such phrases are inappropriate, argumentative and unhelpful to the peace process. We will continue to oppose inclusion of such language in resolutions of the General Assembly and the Security Council.

Finally, we believe that this draft resolution presents a problem that goes beyond the threat it poses to the Middle East peace process, and that is the threat it poses to the orderly conduct of the business of the United Nations. We believe that this draft resolution clearly infringes on the authority of the Security Council. By moving in the direction of General Assembly endorsement of collective action directed against one of its member States, it sets a dangerous precedent which could in the future be turned against any Member State.

The United Nations can play and has played an important part in supporting the Middle East peace process. This is the right and proper role for the United Nations to play. It requires creative thinking about what we can all do to move the process forward, especially at times of crisis. Certainly, it requires at the very least that we do nothing to place new obstacles on the path to peace. This means, in particular, that we must make every effort to avoid falling back on the punitive, accusatory, backward-looking formulations of resolutions past. Regrettably, the draft resolution now before us fails to do this, at great cost not only to the parties involved in the talks, but to the credibility of the United Nations itself as a supporter of peace in the Middle East.

It is clear to us that this draft resolution would have an effect that is the opposite of its advertised intent. Threats of economic boycott, condemnation and harsh rhetoric will only serve to erode the vital trust, confidence and quiet diplomatic efforts that are needed if the peace process is to begin moving forward again. That is why the United States will vote against this draft resolution. Each vote in favour of this draft resolution adds to the difficulty of reaching a just, lasting and comprehensive peace in the Middle East.

Mr. Powles (New Zealand): The purpose of convening an emergency special session of the General Assembly, as clearly stated in the resolution entitled "Uniting for peace" resolution, is to maintain or restore international peace and security. The decision to convene this tenth emergency special session will be justified if our deliberations are guided by this aim.

This will not be achieved, New Zealand believes, unless both parties come to the realization that a just and lasting peace must be the principle guiding their negotiations. Peace in the Middle East requires all parties to act with integrity. These foundations will generate the confidence and trust to move the Middle East peace process forward.

Parties to the peace process face several options for the future. These include engaging in meaningful steps towards the final status negotiations or in a decisive drive to achieve a final settlement in six months.

New Zealand believes that decisions on these options are for the parties to decide. It is for the parties to the negotiations to determine the most effective track. But we are concerned that all parties must refrain from unilateral actions which undermine the peace process and prejudice the options for peace.

In this respect New Zealand believes that the decision of the Government of Israel to initiate settlements in Jabal Abu Ghneim is inconsistent with international law. We do not recognize Israel's annexation of Jerusalem. New Zealand regards Israeli settlement activity in the occupied territories as a clear

example of a policy which undermines the peace process and prejudices options for peace. We cannot escape the conclusion that such activity runs counter to the need to work for a lasting peace.

Israel should build trust, not settlements. We call on the Government of Israel to reconsider its policy on settlements in the occupied territories. Equally, violence and terrorism are not an acceptable response to the actions of the Government of Israel.

The draft resolution before the Assembly today is clear on both of these points. We welcome the spirit of cooperation that has resulted in a text that New Zealand will support. We hope that this draft resolution will be adopted by an overwhelming majority.

It seemed until very recently that peace in the Middle East was achievable. It still is, if all parties want it. It cannot be forced on the unwilling or the intimidated.

Today, 25 April, is Anzac Day, on which New Zealanders remember their own war dead. It is therefore appropriate on this day for New Zealand to join others in calling on all parties to renew their commitment to peace, to rebuild confidence and trust and to enter into discussions on a lasting peace in the region.

Mr. Kharrazi (Islamic Republic of Iran): The convening of the tenth emergency special session of the General Assembly, to consider the nefarious Israeli policy of building settlements in the occupied territories — and recently in the Holy City of Al-Quds — clearly illustrates the outrage and grave concern of Member States. This outrage is directed not only against the continued Israeli defiance of the views and decisions of the international community, but also against the action of a permanent member of the Security Council that blocked a decision in the Council, thereby leaving the general membership with no other option but to resort to the extraordinary measure of convening an emergency special session of the General Assembly.

This emergency special session also indicates that under the provisions of General Assembly resolution 377 (V), entitled "Uniting for peace", the general membership of the Organization has decided that because of the veto in the Security Council on the same issue, the Security Council has failed to exercise its primary responsibility for the maintenance of international peace and security in a case where there appears to be a threat to the peace, a breach of the peace, or an act of aggression — namely, the Israeli decision to build Jewish settlements in the occupied territories, including in East Jerusalem. In this context, I should like to express our gratitude to the Arab Group for its initiative to convene this emergency special session of the General Assembly and to make this point crystal-clear.

It is plainly unfortunate to note that the Security Council was rendered ineffective by being prevented from merely calling upon the Israeli regime to end its illegal actions and policies, such as the policy of constructing settlements in the occupied territories, particularly in East Jerusalem. Undoubtedly, the exercise of the veto against the adoption of a draft resolution that only deplored the unlawful Israeli actions has done a major disservice to the credibility of the United Nations and the Security Council and to the cause of the rule of law, justice and fairness.

Numerous reports and documents of the United Nations, including the annual reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, have provided ample descriptions of the systematic and inhuman practices of the Zionist regime, which include arbitrary mass arrests, the detention and shooting of Palestinians, the sealing or demolition of their homes and the internal closure of the territories.

Last year, for the first time, the occupied territories were subjected to total internal closure, resulting in considerable hardships in the everyday life of their inhabitants. Such closures have had destructive effects on the economic and social situation of the occupied territories and have caused much suffering. This emergency session of the General Assembly should condemn, in the strongest possible terms, those Israeli practices as well as the decision to build new settlements in Jabal Abu Ghneim, in East Jerusalem.

Land confiscation and the building of new housing projects through the use of brute force, intimidation and "quiet" deportations have always, in past decades, been an integral component of the Zionist grand design to perpetuate its occupation of Palestinian lands. It is interesting to note that the statistics and figures indicate that the increase in the number of settlers during the past four years was the highest ever, illustrating the unholy dichotomy of the Israeli agenda. On the surface, they portray themselves as being engaged in a peace process, while at the same time, and in practice, they grab more

land, deport more Palestinians, and give rise to more outrage. Their policy of expanding Jewish settlements is in line with the long-term strategy of the Israeli regime, which is geared towards Judaization and a change in the geographic, demographic and religious status of Palestine and the city of Jerusalem in particular. This must be stopped forthwith. This emergency special session of the General Assembly has a historic responsibility with respect to the question of Palestine and must fulfil the responsibility it acquired by virtue of the Security Council's forfeiture.

The Israeli regime has intensified the policy of demolition of houses in Jerusalem and, despite the concern expressed by the international community, opened an entrance to a tunnel located within the close vicinity of the Al-Aqsa Mosque, causing grave international concern, particularly in the Islamic world. The continued aggressive policies adopted and implemented by the occupying Power against the Islamic sacred places and the occupation of Jerusalem, a city that enjoys the respect of all divine religions, must be condemned in this special session.

The view of the Islamic Republic of Iran on the issue is not a secret to anyone here, but we realize that in the realm of *realpolitik*, attempts are being made to resolve the Palestinian issue in any way possible. However, it is imperative for the General Assembly to take the lead in condemning and rejecting the illegal Israeli actions and policies in the occupied territories, particularly in East Jerusalem, with a view to bringing those unlawful practices to an immediate end.

Mr. Berteling (Netherlands): I have the honour to speak on behalf of the European Union. The following associated countries have aligned themselves with this statement: Bulgaria, Cyprus, the Czech Republic, Hungary, Latvia, Poland, Romania, Slovakia and Slovenia. Iceland and Liechtenstein have also aligned themselves with it.

In past weeks, extensive debates have taken place on the issue of the settlement plans in Jabal Abu Ghneim/Har Homa, both in formal meetings of the Security Council, on 5-6 and 21 March, and here in the General Assembly on 12 March. In these debates the European Union extensively clarified its position on the question of Israeli settlement activities.

In the General Assembly meeting of 12 March, a resolution deploring the decision of the Israeli Government to approve construction plans for Jabal Abu Ghneim/Har Homa and urging Israel to refrain from actually starting construction activities was adopted by an overwhelming majority.

The European Union has taken note with concern of the fact that Israel has effectively commenced construction activities in Jabal Abu Ghneim/Har Homa, with a view to building a new settlement on the West Bank, within the municipal boundaries of Jerusalem, as unilaterally defined by Israel.

The European Union disapproves of this fact, since it constitutes a violation of the fourth Geneva Convention and prejudges the outcome of the final status negotiations. The work undertaken in Jabal Abu Ghneim/Har Homa should therefore be suspended.

The European Union deeply deplores the violence that has occurred in past weeks. At this critical time, it is of the utmost importance that both parties show restraint and return to their political dialogue on all matters under dispute or subject to negotiation. The European Union calls on the parties to make every effort to revitalize the peace process and to refrain from any act which could jeopardize it.

Mr. Nor (Brunei Darussalam): First of all, I would like to thank the President of the General Assembly for convening this tenth emergency special session.

The recent actions taken by the Israeli authorities in East Jerusalem should be of great concern to members of the international community, as they represent a setback for our hopes for the peace process and the prospects for a just and comprehensive settlement in the Middle East.

Brunei Darussalam considers that the building of a new settlement on Jabal Abu Ghneim contravenes the inalienable rights of the Palestinian people, international law, the Fourth Geneva Convention of 1949, the Hague Rules of 1907 and relevant United Nations resolutions. It is a negative action and, in continuing it, Israel has defied the international community's call for an immediate halt to construction.

Brunei Darussalam calls upon Israel to cease construction immediately and asks the Security Council to persuade Israel to revoke its decision on the settlement project. We would also like to urge the Israeli leadership to avoid all activities which deprive the Palestinian people of their rights.

We hope that this Assembly will reflect the strong feelings recently registered by all members of the Organization of the Islamic Conference and the Non-Aligned Movement, and will support the adoption of the draft resolution before us today.

Mr. Wehbe (Syrian Arab Republic) (*interpretation from Arabic*): It gives me pleasure to convey to the President of the General Assembly our thanks for his continued efforts. I have confidence in the wisdom with which he is guiding the work of the Assembly towards a positive and promising result. I am grateful also to His Excellency the Secretary-General, Mr. Kofi Annan, for his great efforts towards the convening of this emergency special session and for following its work and its results.

I wish to express my greatest appreciation to all countries that have responded positively to our just request for the convening of an emergency special session on 24 April 1997, on the basis of the provisions of resolution 377 (V) of 1950, which gives the General Assembly the right to address any matter that could affect international peace and security in the event of the Security Council failing to shoulder its responsibilities. The purpose of this session is to discuss illegal Israeli actions in the occupied Palestinian territories, to formulate recommendations and to take joint action.

No one could have believed that we would ever hear anyone in this Organization say — and on more than two or three occasions — that the United Nations is not the appropriate place to discuss and resist Israel's settlement policy in the Palestinian territories, particularly in Jerusalem, and in the other occupied Arab territories, including the occupied Syrian Golan. That is an astonishing thing to say, because everybody knows that the Arab-Israeli conflict and all developments in the Palestinian question were born in the United Nations itself, in its principal organs and in its specialized agencies. Everybody knows that the annals and archives of the United Nations contain thousands of resolutions, documents, reports and decisions on the Arab-Israeli conflict, including the resolution adopted by the General Assembly at its fifty-first session relating to all aspects of the Israeli settlements and to sovereignty over water sources and other natural resources, as well as other resolutions dealing with the Middle East, Jerusalem, the Golan and Israeli practices in the occupied territories.

I believe that it is our right to turn to the United Nations. We are obliged to do this in order to cooperate with all peace-loving countries throughout the world to save the peace process, which Israel persistently tries to undermine by every means at its disposal.

Why have we asked for this emergency special session? The answer lies in the following points.

First, the Security Council dismally failed twice last month to carry out its responsibility because of the use of the veto by a permanent member of the Council. That veto gave the Prime Minister of Israel a green light to continue his settlements policy. It also amounted to disregard for the feelings of Arabs, Muslims and Christians, all of whom have very close historical and spiritual links with Jerusalem.

Secondly, our request for the convening of the session was in implementation of decisions adopted at the Islamabad summit of the Organization of the Islamic Conference, at the Cairo meeting of Foreign Ministers, at the Rabat meeting of the Al-Quds Committee, and at the New Delhi conference of Foreign Ministers of the Non-Aligned Movement.

Thirdly, the formula applied by the Arab Group in requesting this session was that of the "Uniting for peace" resolution, which reflects anew the true Arab will as expressed at the Cairo Arab Summit, where Arab leaders opted for peace as a strategic choice, provided that Israel followed the same path and also made peace its strategic choice.

Fourthly, we have turned to the United Nations four times over the past two months, which is incontrovertible proof that we see danger in Israel's policy of escalation, and in its persistent attempts to carry out settlement activities in utter disregard of General Assembly resolution 51/223 of 13 March 1997, and of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which is applicable in all Palestinian territories occupied since 1967, including Arab Jerusalem, and in all other occupied Arab territories, including the Syrian Golan and southern Lebanon.

In that light, let me note that the United Nations is the great House to which we have always turned, to which we are turning now, and to which we shall turn in the future, because of our deep belief that the United Nations has the responsibility to deal with the Israeli-Arab conflict and with developments in the Palestinian question in all its dimensions and aspects, and throughout all its phases. Our action is not in any way intended to

belittle or diminish the role of the two sponsors of the peace process. To the contrary, it is intended to support that role by driving the peace process forward.

What does it mean, this peace we are talking about? And what does it mean when Israel talks about peace? Our peace is based on the Madrid Peace Conference of 1991, on resolutions 242 (1967), 338 (1973) and 425 (1978) and on the principle of land for peace. This is what we have committed ourselves to since the beginning of the Madrid Peace Conference.

But the other question we must answer is, what does peace mean for Israel? Israel often talks about peace. What does it mean? The peace of Israel consists of its Prime Minister saying no: no to withdrawal from the Syrian Golan, no to withdrawal from the occupied Palestinian territory and no to the existence of a Palestinian state. The Prime Minister has also said no to the cessation of settlement activities in East Jerusalem. Thus — and the Prime Minister confirmed this recently, after escaping from his latest crisis — his peace means continued settlement activities by the Israeli Government, for example in Ras al-Amud. It means destroying the Burj al-Laqlaq Society for social services in Jerusalem and opening a tunnel under the Al-Aqsa Mosque — and keeping it open despite Security Council resolution 1073 (1996).

Fifthly, the Israeli Government is still defying the United Nations resolutions regarding Jerusalem and still violating the Fourth Geneva Convention of 1949 and The Hague Rules of 1907. We are witnessing assaults by the Israeli authorities on the rights of Christian and Muslim Arabs in East Jerusalem, which has been occupied since 1967.

Sixthly, Israel is practising an iron-fist policy against Palestinians in the Gaza Strip and the West Bank. It is encouraging extremism by implementing a plan aimed at deporting and expelling Palestinian civilians in order, as the saying goes, "to purify" the Hebrew State of its Arab residents. As we all know, this expression represents the ultimate in racism and racial discrimination. The Israeli Government is destroying the very body of peace in order to finish it off.

It is regrettable indeed that the peace process that started in Madrid now seems to be dying because the Israeli Government is overturning all that we have accomplished, all our efforts, all of our commitments over the past five years. The Israeli Government's position rejects all the bases of peace previously agreed upon. This means the total annihilation of the peace process.

In answering the aforementioned questions we have to note that Israel is pursuing a policy of prevarication. What is this peace Israel is talking about, when at the same time it is clearly rejecting withdrawal from the occupied Syrian Golan and when it is saying that withdrawal from Southern Lebanon is subject to conditions? This latter claim is not in line with Security Council resolution 425 (1978), which says that Israel must withdraw from Southern Lebanon without any preconditions.

The present Israeli Government refuses even to recognize the commitments made by the previous Israeli Government. On the basis of these commitments we have adopted many binding resolutions. According to these commitments, reached before negotiations came to a halt, Israel has to withdraw to the fourth line of 1967. Israel does not want to implement these commitments. This is part of the Israeli policy that has replaced peace with expansion and the building of settlements. This is why Israel does not want to implement its commitments made before the final status talks. Israel does not want to implement the agreements it has made with the Palestinian Authority.

In view of all this, can someone tell me, what is this peace that Israel would like us to implement? Does all this contribute to the implementation of peace? Should Syria and other Arab parties be interested in a peace that does not give us back our rights?

As President Hafez al-Assad has said, the peace process has to succeed because we are all interested in peace. The whole region and the peoples of the world are interested in peace. But for peace to triumph, preparations must be made. Peace means justice. If justice is not an integral part of peace, then we have not peace, but capitulation.

The success of the peace process will reflect positively on the peoples of the region and of the whole world. Peace will spare us from making such sacrifices and would save so many resources that could be used to improve conditions.

The President of the Syrian Arab Republic has confirmed that we will continue to be on the side of peace, in all its aspects, and he has expressed the hope that everyone, all countries, will strive towards that end.

Syria has always supported, as it does today, this strategic option: to achieve peace Israel must completely withdraw from the Syrian Golan to the fourth line of June 1967; it must withdraw from Southern Lebanon and the occupied Palestinian territories, including Arab Jerusalem; and it has to guarantee the legitimate rights of the Palestinian people in implementation of United Nations resolutions and of the principle of land for peace. Under the terms of the resolution "Uniting for peace", we all bear a responsibility to make this question a priority, because peace is the way to achieve security.

In this light, I would like to state that, first, my country condemns the Israeli settlement policy and Israel's defiance of the will of the international community. We believe that Israel bears the responsibility for creating tension and violence in the region. It is changing the environment of peace to an environment of war. Mr. Shimon Peres, the former Prime Minister of Israel, said that the Government of Netanyahu was moving towards war.

Secondly, it is natural that Syria express solidarity with the Palestinian people and with the "children of the stones". They are facing the might and technology of a military force and are resisting the Israeli occupation in defence of their legitimate rights, which are guaranteed by international conventions. We have to ask how, under any moral system, we can call a child who is throwing stones a terrorist, while the Israeli soldier who is trying to kill him, who is attacking houses and mosques, is called a dove of peace? What is the logic behind this?

Thirdly, if our region is being compelled to relive the cold war, it is because of Israel's extremist, fanatic, aggressive and expansionist policies in the occupied territories and vis-à-vis the peace process.

Fourthly, the Israeli settlement policy is not new to us. It is rooted in history. But what is new is its intensification and the dangerous path it has taken towards judaizing the City of Jerusalem and expelling the Palestinians. Hence, the General Assembly is called upon to shoulder its responsibility and to take all measures necessary to stop immediately and forthwith the settlement of Jabal Abu Ghneim to the south of East Jerusalem and all Israeli settlement activities in Palestinian territory, particularly Jerusalem, and other Arab territories, including the occupied Syrian Golan.

Fifthly, we must take steps to compel Israel to respect the Fourth Geneva Convention of 1949 and the Hague Convention of 1907.

Sixthly, at this special session, convened under the banner "United for peace", the General Assembly is called upon to fulfil its duty to save the peace process, which Israel has tried to undermine completely and has brought to an impasse. Hence, we call upon the sponsors of the peace process and the countries of the European Union to accord serious attention to the peace process, commensurate with the dangers that beset it at a time when the Prime Minister of Israel threatens it, and peace and security in the region, with destruction.

We call on the General Assembly to take all necessary measures in order to halt all assistance being given to Israel's settlement activities, particularly in Jerusalem, which are illegal.

Syria's position on peace is well known and irrevocable. In particular, Syria has always asserted its attachment to the bases of the Madrid Conference and the principle of land for peace. It has called for the resumption of the peace negotiations at the point at which they were interrupted in order to build on what has been achieved and to salvage the results of the great efforts made over the past five years of negotiation by the interested parties. Whosoever would squander those results, though he may speak loudly of peace, cannot be serious in his claim to seek the peace sought by the peoples of the region and the world. The achievement of peace in the region requires the world to act with alacrity and sincerity before it is too late.

Mr. Amar (Morocco) (*interpretation from French*): May I convey to the President the gratitude and highest consideration of the Kingdom of Morocco. I also wish to express my country's thanks to His Excellency Mr. Kofi Annan, the Secretary-General of our Organization, for his tireless efforts and wise guidance.

Once again, we are meeting to discuss the decision of the Government of Israel to establish a new settlement. The delegation of Morocco is deeply concerned by Israel's decision of 26 February 1997 to pursue its illegal policy of establishing settlements in the Holy City of Al Quds. The decision to establish new settlements in Jabal Abu Ghneim in the eastern sector of Al Quds is the latest on the list of flagrant attempts to predetermine the results of the final status negotiations on Al Quds by changing

the legal status and demographic composition of the Holy City.

Month after month, we have seen Israel adopt a series of policies and actions, the most recent of which was the decision to build yet another settlement in the area of Ras al-Amud, to open a tunnel within the precinct of Al-Haram al-Sharif and to close offices of the Palestinian Authority in Al Quds. These actions have effectively created a new situation on the ground to the detriment not only of the Palestinian people but also of the peace process itself.

These acts were unacceptable when they occurred; they are unacceptable today; and they will be unacceptable in the future. They clearly violate the relevant resolutions of the Security Council and the General Assembly, which prohibit any measure susceptible of altering the legal status, demographic composition and civilizational role of Al Quds. They are also incompatible with the Declaration of Principles, the spirit and letter of the agreements that followed it, and the generally accepted principles of international law, in particular the Fourth Geneva Convention, which prohibits the occupying Power — in this case, Israel — from making permanent changes in territories under occupation or from settling any part of its population there.

Israel's recent decision to establish new settlements must be condemned, given that the peace process had appeared to be returning to a semblance of normalcy despite Israel's procrastination and attempts to reinterpret agreements already concluded. Today, all that — and particularly the mutual confidence that had been so patiently built up over the past four years — has been jeopardized by Israel.

Furthermore, we fear that the arbitrary measures taken by Israel may provoke among the Palestinian people a wave of anger and discouragement, with unforeseeable and often painful consequences.

In this regard, outside the United Nations, various international forums have concluded that Israel's latest decision is unacceptable. Thus, the recent ministerial meeting of the League of Arab States in Cairo, the ministerial meeting of the Organization of the Islamic Conference in Islamabad, the meeting of the Al Quds Committee recently held in Rabat under the high chairmanship of His Majesty King Hassan II, and the twelfth Ministerial Meeting of the Non-Aligned Movement in New Delhi all called for the adoption of concrete measures to reverse the latest Israeli transgressions in the occupied territories.

The peace process in the Middle East has given rise to hopes for a new era of peace, stability and prosperity for the peoples of the region, including the Palestinian people, which has so long fought and suffered for its rights. The peace process was to promote the convergence of differences and respect for the interests and needs of all the people of the region. We were convinced that this process would usher in a new era in relations between Israel and the Arab countries. But we are forced to note that Israel's unilateral measures are pushing us backwards, because they belong to a past they we had sorely wished was behind us.

The results achieved to date in the peace process are certainly historic. It is now up to Israel scrupulously to implement the provisions of the various agreements it has concluded with the Palestinians. The recent agreement on Hebron was to have been followed by negotiations on other contentious questions, and more specifically on the future status of Al Quds and the problems of settlements, refugees and borders, as well as on the permanent status of the occupied territories.

The peace process and the agreements entered into by the parties concerned in the Middle East must be implemented in full, in a coherent and just manner, and not selectively, sporadically or conditionally. We call upon the international community, in particular the sponsors of the peace process, to oppose the decision on the new settlements so as to ensure that the process is not reversed.

The Kingdom of Morocco has no option but to support peace and the commitments made to respect all the requirements for peace. My country is fully aware of the fate that will befall the Middle East if the peace process fails. There can be no lasting peace unless all the parties choose peace on the basis of justice and the mutual recognition of legitimate rights and previously agreed requirements.

Only as a result of courage and respect for commitments by their leaders can the peoples of the region harvest the fruits of peace. We hope that such a peace can become a reality for generations of people who have lived in fear, suspicion and violence for many decades. Israel must build confidence, not settlements.

Mr. Eltinay (Sudan) (*interpretation from Arabic*): My delegation is convinced this emergency special session of the General Assembly is taking place at a moment when the question of Palestine and the situation in the Middle East have reached a critical point because of the decision of the Israeli Government to pursue its settlement policy, the Judaization of Jerusalem and its attack on the city's Arab identity.

This emergency special session of the General Assembly has been convened, under the "Uniting for peace" resolution, in the wake of the Security Council's failure to carry out its responsibility for the maintenance of international peace and security, with regard to the Middle East, twice within one month. Israel's decision to establish a new settlement at Jabal Abu Ghneim, followed by bloody and violent repression of civilians who refused to abide by its decision, constitute a flagrant violation of Security Council resolutions 252 (1968) and 476 (1980), which consider the Israeli measures in Jerusalem null and void. We call on the United Nations to put pressure on Israel to lift its siege of the city and allow Muslim and Christian Palestinian citizens to practise their religions.

The Israeli practices will surely lead to a disaster with grave consequences for the peoples and States of the region and for international peace and security. That is why the Sudan condemns the Israeli actions against civilians. We call upon the General Assembly, respecting the relevant treaties and international agreements, to shoulder its responsibilities for the maintenance of international peace and security, and we call on Israel to put an end to its actions, which wound the sensibilities of Muslims and the adherents of all other religions of the world. Israel must be required to do away with policies intended to change the demographic and legal status of Jerusalem and the occupied Arab territories on the basis of the principles set out in the Charter that reject the annexation of territories by force.

The Sudan, in solidarity with the legitimate rights of the Palestinian people, and respecting the decisions of the Arab summit in Cairo and the ministerial meeting of the Organization of the Islamic Conference in Islamabad, calls on the General Assembly, the most democratic body in the United Nations, to put an end to all illegal practices in Jerusalem. We also call on the two sponsors of the peace process to put pressure on Israel so that it will respect the decisions of the international community, especially Security Council resolution 465 (1980), to call for an end to all settlement activities and the dismantling of existing settlements and to reaffirm that settlement policies contravene international law.

The continuation of the Israeli actions could well sound the death knell of the peace process. The Sudan is firmly convinced that to ensure a comprehensive, just and lasting peace in the Middle East, Israel must abandon its policy of colonization in the Arab territories occupied since 1967, including Jerusalem, the rest of the West Bank, southern Lebanon and the Syrian Golan, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Israel must respect the rights of the Palestinian people, including its right to establish an independent State, with its capital in Jerusalem.

As an occupying Power, Israel must respect the Fourth Geneva Convention, whose provisions apply to Jerusalem, which is a Holy City for Muslims and Christians. We condemn the recent Israeli actions against the Palestinian people, which create tension and instability, and call on it to abandon such actions and respect the rights of the Palestinians. That is why we support the draft resolution in document A/ES-10/L.1. We call on all States to take this legal measure so that peace and security can reign in the Middle East and an independent Palestinian state can be established, with its capital in Jerusalem.

Mr. Hamdoon (Iraq) (*interpretation from Arabic*): The convening of the tenth emergency special session of the General Assembly is an eloquent expression of the realization by the Member States of the United Nations of the need for the General Assembly to discharge its role under the Charter in maintaining international peace and security and to deal with the harmful effects of the Israeli expansionist policies in the occupied Arab territories.

Israel, the occupying Power, took a decision on 26 February 1997 to build a new settlement, in Jabal Abu Ghneim, within the expanded municipal borders of the city of Jerusalem in order to establish new facts on the ground that serve its expansionist settlement plan and its policy of "ethnic cleansing". This decision evoked the anger and denunciation of the international community. It is a new, flagrant violation of the rights of the Palestinian people, a continuation of the policy of usurping land by force and a breach of international humanitarian law, the Fourth Geneva Convention and resolutions of the United Nations. Moreover, it prejudices the very legal status and demographic composition of Holy Jerusalem, as well as its spiritual value not only for Arab peoples, but also for the Muslim and Christian worlds.

As soon as Israel declared its intention to initiate the building of the settlement in East Jerusalem, the Arab Group resorted to the Security Council in order to obtain a clear decision to halt the Israeli settlement policies, which gravely threatened regional and international peace and security. Regrettably, the Security Council failed twice to discharge its responsibilities because of the veto exercised by the United States. Israel went forward with its settlement activities in the occupied Arab territories and persisted in its brutal suppression of the uprising of the Palestinian people, and tension continued to escalate in the region.

Israel would not have been able to continue to violate the most basic principles of international humanitarian law and the resolutions of the United Nations, including the resolutions of the Security Council, were it not for the unlimited support given to it by the United States. That support has included neutralizing the role of the Security Council and exerting pressure to prevent the convening of this emergency special session.

The continuation of these policies will lead the region and the world to the most tragic catastrophes because it will mean the absolute absence of law and the absolute sovereignty of the logic of brute force. Those who neutralize the role of the Security Council with regard to Israeli expansionism and who claim that peace cannot be achieved through the resolutions of the Security Council do not hesitate to exploit the same mechanisms in the most heinous ways to carry out their political designs against peoples. While they prevented the Security Council from condemning the flagrant Israeli violations of the Council's resolutions and of the sensibilities and sacred places of the Muslim and Christian worlds, they did not hesitate to convene the Security Council day and night for eight consecutive days this month with the aim of condemning a flight of Iraqi pilgrims to the Holy Places in Mecca.

The convening of this emergency special session and the draft resolution it will adopt regarding the illegal Israeli actions send a strong message that promotes the role and responsibility of the United Nations in the maintenance of international peace and security, a strong message in the interests of justice and peace and in repudiation of selectivity and double standards.

Mr. Bergh (South Africa): My delegation welcomes the convening of this emergency special session of the General Assembly on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

That the convening of the emergency special session follows so soon after meetings of the Security Council and the General Assembly were held to consider the situation in the occupied Arab territories bears undeniable witness to the fact that recent developments in that region have become a serious cause for concern, a concern underscored by the firm resolve in support of the peace process which was discernible in all those deliberations.

South Africa has followed the unfolding developments in the Middle East with optimism since the signing of the Declaration of Principles and the Hebron Protocol. As these instruments are based on the relevant Security Council resolutions and the Oslo accord, South Africa — and, indeed, the international community — recognized and acclaimed them as representing positive steps towards the full realization of the long-awaited, comprehensive and just settlement in the region. We had hoped and believed that the parties concerned would honour their commitments to these important agreements and would show good faith by refraining from any measures that could place obstacles in the way of their implementation.

The decision of the Israeli Government to commence the building of new settlements in Jabal Abu Ghneim has had a negative impact on the peace process. We are all aware that the Oslo agreement calls on the parties to the agreement to avoid measures that may adversely affect the negotiations and the final status of the territories concerned.

It would appear that by embarking on this settlement policy, the Government of Israel is engaging in a unilateral attempt to change the legal status and demographic composition of Jerusalem — an issue which has yet to be discussed at the final status negotiations.

The present decision is also a departure from the principle of land for peace agreed by the Israeli Government and the Palestine Liberation Organization, and stands in stark contrast to the principle of the "Peace of the Brave" advanced by the former Prime Minister of Israel, Mr. Shimon Peres.

The actions of the Israeli Government in Jerusalem and the rest of the occupied territories are illegal, as they constitute a flagrant violation of international law and a total disregard of the resolutions of the United Nations. It is therefore not surprising that these actions have given rise to a situation that seriously endangers peace and security in the region. The Israeli Government should

bear full responsibility for the current tension and violence which is gripping the occupied Palestinian territories.

We believe that the peace agreements signed by the Government of Israel and the Palestine Liberation Organization represent a firm foundation for ensuring security for all and building peace in the Israeli-occupied territories. Unilateral decisions can serve only to erode and undermine the mutual trust and cooperation which is essential to sustain the peace process.

We therefore urge the Israeli Government to fulfil its obligations under the agreements reached by both parties and to demonstrate its commitment to the promotion of peace in the occupied Arab territories.

Indeed, the challenge before this body and the international community is to ensure that the Israeli Government fulfils the commitments and obligations it has solemnly undertaken.

South Africa will vote in favour of the draft resolution before us because it sends a clear message to the Government of Israel that the international community is determined to put the peace process back on track.

Mr. Ould Yahya (Mauritania) (*interpretation from Arabic*): I should like to begin by paying tribute and expressing our deep gratitude to the President of the General Assembly. We are convinced that his political experience and diplomatic skills will contribute to the success of this emergency session, as they have done to that of the fifty-first session of the General Assembly, which he has been guiding with outstanding skill and in a most responsible manner.

We would like also to thank the Secretary-General for his continued efforts, which made possible the convening of this emergency session of the General Assembly. The session was requested by the Group of Arab States in the light of the real danger threatening the Middle East peace process.

Our gratitude goes also to those States that felt duty-bound to support the Arab initiative to convene an emergency special session of the General Assembly. Their support demonstrates once again the international community's firm belief that the United Nations must shoulder its responsibilities in this sensitive region.

Following the decision taken by the Israeli Government to build a new settlement at Jabal Abu Ghneim, in East Jerusalem, and the resulting tension in the occupied Palestinian territories; in view of the concern and reproval of the entire world, in particular the Arab and Muslim world; in the face of the Security Council's inability, after two successive meetings, to take adequate measures to deal with this crisis; and in view of the non-compliance with the resolutions and recommendations of the League of Arab States, the Organization of the Islamic Conference, the Al-Quds Committee and the Non-Aligned Movement, we had to call for the convening of this emergency special session. In accordance with United Nations rules of procedure, we had no other means of seeking legal redress. Mauritania thus attaches particular importance to this session.

It is our moral and legal duty to confront, in a serious and responsible manner, the threat posed to the Middle East peace process by Israel's illegal policies and actions in the occupied Palestinian territories, and in East Jerusalem in particular. These practices violate not only international law, in particular the Hague Convention of 1907 and the fourth Geneva Convention of 1949, but also the relevant Security Council and General Assembly resolutions and the treaties and agreements freely entered into by Israel with other parties to the Middle East peace process.

The question of Jerusalem is a sensitive one for all of the revealed religions and for Muslims in particular. This was made clear by the resolutions adopted at the Islamic summit held several weeks ago in Islamabad and by the decision taken at the most recent meeting of the Al-Quds Committee, held in Rabat. That is why Israel's decision to build a new settlement in East Jerusalem represents a violation by Israel not only of the agreements signed with the Palestinian authorities on the future of Jerusalem, but also of international law and of Security Council resolutions 252 (1968) and 476 (1980), which reaffirm that all Israeli measures taken in Jerusalem have no legal validity and are therefore null and void.

My country expresses its support for the draft resolution before us at this emergency session and calls on all countries to support it as well in view of its balanced and responsible nature, because by so doing we will reaffirm once again the international community's commitment to a Middle East settlement and contribute to international peace and security.

Mr. Felicio (Brazil): The Security Council and the General Assembly have been overwhelmingly supportive

of the series of bold steps taken by the leaders of the Middle East since the Madrid Conference of 1991. The signing of the Declaration of Principles in Washington opened the way for concrete progress in the Gaza Strip, Jericho and, more recently, Hebron. These have been landmarks in the gradual improvement in relations among the parties concerned, which began to shape what has largely come to be accepted as an irreversible peace process. Brazil has been, and remains, a strong advocate of this process as the only viable alternative for stability through tolerance and solidarity among all peoples in the region.

The convening of this emergency special session of the General Assembly is indicative, however, of the disquiet with which Member States have been following the latest developments. Challenges to the peace process have been overcome in the recent past. The remaining challenges must likewise be tackled with the same resolve which produced the momentous results of the last few years. If there is no deliberate intention to retreat from the commitment to peace — and we have heard no statement to that effect — mistrust cannot be allowed to express itself through disregard for international law, or through terrorism or other forms of violence.

The prospects for a comprehensive, just and lasting solution to the question of the city of Jerusalem have come to the forefront of our attention. Action with respect to Jerusalem which threatens to erode laboriously-achieved progress as regards other localities should be avoided at all cost. The capacity to put aside mutual hostility and engage in constructive dialogue has already been displayed. It must be regained and strengthened through intensified consultation and negotiations. Permanent-status negotiations between the parties should aim at establishing freedom of religion and conscience, as well as free unhindered access to the Holy Places by the faithful of all religions and nationalities.

The hopes of the long-suffering populations of the Middle East have been raised by the vision of a future of peace. Their leaders, with the support of the international community, have made significant strides in that direction. Solutions will not be durable, however, if intransigence prevails over the capacity to look for compromise. Brazil is convinced that the most promising opportunity for peace in a generation must be seized in earnest. We urge the parties to resume contacts, in good faith, on the basis of agreements already reached, and to seek inspiration in their own achievements since Madrid in their search for lasting peace.

Mr. Diatta (Niger) (*interpretation from French*): A few months ago, during the Assembly's general debate at its fifty-first session, my country from this rostrum welcomed the progress made in the Middle East thanks to difficult but essential dialogue between Israel and the representatives of the Palestinian Authority towards a comprehensive, just and lasting settlement of the Palestinian question, which is the core of the Middle East conflict. On that occasion my country also expressed fear that this positive dynamic could come to an end if the United Nations did not play its proper role: that of keeping the Middle East from descending into a new war with an unforeseeable outcome.

Niger therefore welcomed the convening of this emergency special session of the General Assembly to consider the decision of the Israeli authorities to establish a new settlement in occupied East Jerusalem. The serious deterioration of the situation in the occupied Palestinian territories resulting from that decision gives rise to grave concerns on the part of the international community about the success of the peace process initiated at Madrid on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and on the basis of the principle of land for peace.

In this climate of tension it is the duty of the General Assembly to take the measures necessary to save the peace process to which all of us here are deeply committed. This is all the more vital because the Security Council has been unable to ensure that the voice of justice is heard.

In terms of saving the peace, my country believes that only strict and complete implementation of the peace agreements that have already been concluded can enable all parties unequivocally to translate into deeds the desire for peace that motivates them and that they have clearly proclaimed at this session. At this stage of the negotiations, the international community must thus prevent any geographic or demographic change that could prejudge the final status of Jerusalem, and must view as illegal any action taken to that end.

In the same vein, my country considers Al-Quds Al-Sharif to be an integral part of the Palestinian territories occupied since 1967 and therefore considers that all provisions relating to the other occupied territories, contained in the resolutions of both the General Assembly and the Security Council, must be applied to it.

It is within our power to secure the triumph of the dialogue and justice that form the basis for a future of peace and security in the Middle East, a future which must include the exercise by the Palestinian people of their inalienable rights, including those relating to the establishment of an independent State. Thus, in this difficult phase of the peace process, everything must be done, as a matter of priority, to restore trust among the various parties and thus to accelerate the negotiations with a view to full implementation of the agreements.

For its part, my country, which supported the convening of this emergency special session, hopes that this session will enable the international community unambiguously to come out against the building of new housing at Jabal Abu Ghneim, and against all unilateral measures that could endanger the peace process.

Mr. Legwaila (Botswana): A year ago it would have been beyond our wildest dreams that the General Assembly would be meeting in an emergency special session to consider illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories. There was hope for a peaceful resolution of the Middle East conflict, particularly with regard to the Palestinian question. Unfortunately, the actions of the Government of Israel in the last few months have made it abundantly clear that this could still be another missed opportunity for peace in the Middle East. The right of the State of Israel to exist within secure and internationally recognized borders is in no doubt in our minds. The enjoyment of this right by the Israelis cannot, however, be based on depriving the Palestinians of the enjoyment of a similar and equal right.

Israel has a claim to Jerusalem as its capital based on historical, political and religious considerations. And so do the Palestinians. This means that the final status of Jerusalem can be determined only through painstaking and comprehensive negotiations, and not through unilateralism. No attempt should therefore be made by either side to pre-empt the outcome of such negotiations, in any way whatsoever, including tampering with the present physical map of the city. The future status of Jerusalem is understandably a highly emotive issue for both the Palestinians and the Israelis, and it cannot therefore be subject to unilateral action without inviting a response of some kind from the other side.

Botswana totally abhors violence, even though we at times understand the despair and desperation of those who resort to the use of violent means to register their frustration, having been left without any alternative. Peace with security for Israel should also translate into peace with security for the Palestinians, including the security of their entitlement to a part of Jerusalem. Permanent peace cannot be built on the foundation of ever-escalating levels of provocation by one side, nor on the graves of the sons and daughters of both Palestine and Israel. Permanent peace can be established only through trust and mutual understanding. Israel's claims and aspirations cannot and should not be attained at the expense of similar Palestinian claims and aspirations, and vice versa. There can be no superior claim over the city of Jerusalem in this regard.

This emergency special session is a clear manifestation that the overwhelming majority of the States Members of the United Nations are agreed that the construction of the new settlements in East Jerusalem jeopardizes the peace process, and that these States are ready to stand up and speak for the protection of the peace process. The special session was not convened merely to express solidarity with the hopes and aspirations of the Palestinian people and nation, although there would be nothing wrong with doing so because theirs are legitimate hopes and aspirations. The session was convened to express the bewilderment of the Member States at the blatant and unnecessary threat to the peace process and to make Israel understand and appreciate the international frustration and concern brought by the construction of the new settlements. We hope that the Government of Israel will also understand that its actions are not in the interest of the peace of Israel itself. The message would have been even more loud and clear if the United Nations could have spoken with one voice on this occasion. Israel would have realized the isolation of its position and abandoned the construction of these new settlements.

It took many painful years of negotiations for the peace process to reach its present stage, and it would not be in the interest of regional peace to reverse the gains made so far. The construction of new settlements in East Jerusalem would have exactly that undesired result — hence the deep concern of the international community. Our wish and prayer are that the Government of Israel will heed the international disquiet caused by the construction of the new settlements in East Jerusalem and abide by the letter and spirit of the peace agreements Israel freely entered into with the Palestine Liberation Organization.

Mr. Kim Chang Guk (Democratic People's Republic of Korea): The principle of land for peace is the

nucleus of the Middle East peace process. Israel has been insisting that the issue of the construction of Jewish settlements should be resolved between Israel and Palestine on a bilateral basis, instead of being deliberated at the United Nations. However, Israel has made a unilateral decision on the construction of the Jewish settlements, in violation of its agreements with the Palestinians.

By bringing new Jews to settle in East Jerusalem, Israel is pursuing its goal of changing the demographic composition and legal status of East Jerusalem and, ultimately, of perpetually occupying East Jerusalem. Such acts on the part of Israel are in contravention of the United Nations resolutions on Palestine and relevant international law, and therefore it is natural that these acts are being denounced by the international community.

Moreover, the international community is gravely concerned over the fact that these Israeli acts will create an obstacle to the peaceful resolution of the Middle East question. There can be no peace in occupied lands. Israel cannot enjoy peace even if it uses its might to enforce peace in the occupied territories.

It is the sacred right of people in occupied countries to strive for freedom and liberation. It is a law that, where there is occupation and repression, there is resistance. If Israel sincerely desires to coexist in harmony with its Arab neighbours, it should recognize this historic truth.

The issue of the Middle East should be resolved fairly and comprehensively on the principle of land for peace. The legitimate rights of the Palestinian people, including the right to establish an independent State, should be restored and Israel should withdraw from all occupied Arab territories. Above all, Israel should immediately halt its construction of new Jewish settlements in East Jerusalem.

For decades, the Democratic People's Republic of Korea has extended its support, both material and spiritual, to the just cause of the Arab peoples. And we are proud of this. The world has changed a lot. However, our support for the Arab peoples has never changed. In the future, too, we will firmly stand on the side of the Arab peoples until they achieve their just cause.

Mr. Guillén (Peru) (*interpretation from Spanish*): In the years since the United Nations decided to create two States and to establish Jerusalem as a *corpus separatum*, the Organization has witnessed struggles that have completely changed the territories that were to have served as the demarcated borders of those two States.

For that reason, Peru, like the great majority of States Members of the United Nations, has consistently supported and co-sponsored resolutions endorsing the agreements reached in Oslo and Madrid as well as the peace process to which the parties involved have committed themselves.

Hence, the expansion and resumed construction of settlements in territories that were to have been exchanged for peace and security within internationally recognized borders are unacceptable and in contradiction of the decisions of the Security Council and international law. It is also unacceptable to see Jerusalem divided on the basis of a de facto situation obtained by force.

The General Assembly is meeting for a second time — now in an emergency special session — because the final status of Jerusalem, which was to have been discussed at the end of the peace process, has been and continues to be violated by the construction under way in Jabal Abu Ghneim.

The eastern zone of Jerusalem is protected by the principles contained in Security Council resolutions 242 (1967), 252 (1968) and 338 (1973), which determined that Israel can have no sovereignty over those territories.

Jerusalem must therefore be protected by international law. Moreover, it must be fully respected because the General Assembly, in resolution 181 (II) of 1947, emphatically called for holy places, religious sanctuaries and buildings to be respected, with clear freedom of access, visitation and transit. Legally and politically, any peace agreement must also contain internationally guaranteed provisions reiterating and ensuring the freedom of men and women of all faiths of the world to visit Jerusalem, which must be a capital of spirituality, faith and tolerance.

Since 1947, the United Nations has guaranteed any Member of this Organization the right to resort to the General Assembly to point out any threat or infraction of the Jerusalem regime. This General Assembly's objective must be to send an urgent message to all parties involved that the peace process should be resumed immediately and to reject these acts, which are contrary to established international agreements.

Peru maintains that the Assembly's draft resolution must emphatically, now more than ever, call for abstention from of any act of violence on the part of

My statement would not be complete if I did not refer to the specific situation of Jerusalem, which must become the world archetype for brotherly coexistence, since in it originated the major religions that have millions of devotees. A climate of religious tolerance, guaranteed by political and spiritual freedom, is not only necessary for life and for the activities of Jerusalem, but a symbol for the entire world. What I, as the Permanent Representative of Venezuela to the United Nations, am saying here is nothing new. The General Assembly has been proposing such an approach and arrangement since 1947.

In our efforts to strengthen trust, we hope that the bilateral negotiations will continue to develop in a climate of creativity, honesty and mutual good faith. Serious conflicts have taken place in the Middle East over the past 50 years. We have been able to overcome them; the international community has had the strength and the instruments to do that. But we must safeguard the future and prepare the way for the twenty-first century in a climate of greater coexistence, trust and solidarity.

For all of those reasons, Venezuela has come here to support formulas for coexistence, consensus, commitment, peace, harmony and international solidarity, which will not exacerbate confrontation but facilitate understanding and peace.

The Acting President: In accordance with General Assembly resolution 3369 (XXX) of 10 October 1975, I now call on the Observer for the Organization of the Islamic Conference.

Mr. Ansay (Organization of the Islamic Conference): On behalf of His Excellency Mr. Laraki, the Secretary-General of the Organization of the Islamic Conference (OIC), I thank you, Sir, for calling on me to address the General Assembly at its tenth emergency special session, on the illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

At the outset, let me reiterate what I said in my statement last month to this body: contrary to the expectations of all of us, the situation in Palestine is not getting any better, but becoming more bitter. We in the OIC joined the international community in supporting the peace process in the Middle East, despite some of the disadvantageous elements in the agreements affecting Palestinian interests. We had, in fact, hoped for a future of peace in the area because of the signs of progress that appeared after the early stages of the implementation of the Oslo accords. We had welcomed last January's agreement on the redeployment of Israeli troops from Al-Khalil and were prepared to continue to extend our support for the attainment of the agreed goals and objectives of the peace process.

With great sadness, I have to say that not only our hopes, but those of all well-wishers in the international community, are now shattered by the regrettable turn of events in Palestine, the responsibility for which lies with Israel, and Israel alone. For it is Israel that has brought about the turmoil, through a series of violations of various elements of the peace agreements. It was the Israeli decision to build a new settlement in Jabal Abu Ghneim in East Jerusalem that constituted its latest attempt at pre-empting the outcome of negotiations on the final status, by trying to change the legal status and demographic composition of Jerusalem, a city which is of central importance for not only the Arab world but also the entire Muslim world, being the first Kiblah and the third Holy City of Islam, and for all three major religions, as well as for the international community. The Israeli decision clearly violates the relevant resolutions of the United Nations Security Council and General Assembly, the Declaration of Principles and subsequent agreements. It also threatens to undermine whatever progress has thus far been achieved in the Middle East peace process.

At the Security Council meeting held on 5 March 1997, the Islamic group at the United Nations called on the international community, including the Security Council, to take urgent steps to ensure that the Government of Israel reversed its decision and renounced settlement activity in all the Arab occupied territories, in particular East Jerusalem. Unfortunately, the Council failed to take a position on the issue, necessitating the convening of the General Assembly on 12 March, and now this emergency special session. In this context, I would like to inform the Assembly that the situation in Holy Jerusalem will be the principal subject to be raised by the Secretary-General of the OIC at his meetings with the President of the General Assembly, the President of the Security Council, the Secretary-General of the United Nations and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, during his visit to New York next week, following his contacts this week in Palestine with President Arafat and in Amman with the Jordanian authorities.

We want to maintain the spirit of our solidarity with the peace process in the Middle East, and we reiterate our condemnation of this latest decision by the Israeli Government concerning East Jerusalem, as we did after another provocative action by Israel: the opening of the tunnel under the Western wall of the Holy Al-Aqsa Mosque. We also wish to register our dismay at the Israeli attempt to redeploy from only an additional 2 per cent of the West Bank, instead of making a meaningful, effective and complete withdrawal from that Palestinian territory.

I would like to take this opportunity to reaffirm the OIC's position that a comprehensive and lasting peace in the region cannot be achieved without the full implementation of Security Council resolutions 242 (1967) and 338 (1973) which, *inter alia*, emphasize that Jerusalem is part and parcel of the territories occupied since 1967.

The President took the Chair.

We in the OIC continue to believe in the necessity — indeed, the urgency — for the Security Council to implement all of its relevant resolutions, including 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), which all concern Jerusalem, as well as to take all the necessary measures to prevent Israel from altering the geographical and demographic status of Jerusalem and from taking any action which in any way affects the status of Jerusalem, the final status of which has yet to be discussed in the subsequent stages of the peace process.

At this point, I would refer to the view now being advanced by one or two Member States to the effect that the United Nations may not be the proper place to deal with the issue of Palestine. This is, strangely enough, being said about the world body which was established 51 years ago in order

> "to save succeeding generations from the scourge of war...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person...and...to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained".

I have quoted these words from the Charter of the United Nations and, certainly, no Member State can deny that. Nor can it be denied that the Oslo accords and all other agreements flowing from those accords stem from the spirit, principles and relevant provisions of the Charter.

Bilateral negotiations between two equals emerging from the Oslo accords are welcome and would continue to be of value so long as one of the two parties involved does not assume the weight of the strong and tries to subdue the weak. Once this happens, as Israel is doing now, it becomes incumbent upon the weak, in this case the Palestinians, to look to the United Nations for strength so that Israel may be persuaded to adjust its conduct appropriately in the implementation of the peace accords and try to become as judicious and reasonable in its negotiations and deeds in Palestine and in Jerusalem as the General Assembly would expect it to be.

We would now urge the General Assembly once again to play its role and to use its influence to bring an end to the continuation of Israeli intransigence, as demonstrated in its settlement policies in the occupied Palestinian and Arab territories, including its attempt at the Judaization of occupied East Jerusalem. We would appeal to the General Assembly to consider all these Israeli policies and practices as blatant violations of the relevant United Nations resolutions and international agreements — especially the Fourth Geneva Convention of 1949 — and pronounce itself accordingly.

Through you, Sir, we would also again request the international community to persuade Israel to lift the siege around Jerusalem and to stop the implementation of all its decisions and practices that are adversely affecting the interests of the Palestinian people, especially the confiscation of Palestinian lands, the demolishing of Palestinian properties and houses, the withdrawal of identity cards issued to Palestinians — which is designed to expel them from Jerusalem — and the restrictive measures that are preventing the freedom of movement of persons and goods, not only between the territories of Palestine and Israel, but also within the Palestinian territory itself and between it and the outside world. All of this is not only continuing the disruption of Palestinian civilian lives, but is also preventing any of the viable development of the Palestinian economy required under the Oslo accords. We also urge the General Assembly to prevent Israeli excavations around the Al-Aqsa Mosque and to cease forthwith the violations of the Islamic and Christian Holy Places in Jerusalem.

I would like to reassure the General Assembly through you, Sir, as I have done in the Security Council and in the Assembly before, that as soon as the necessary measures to restore peace and security in the area have been undertaken — thus improving the environment for the resumption of the peace process — the OIC and its 54

member States, which represent the very serious concerns of more than one billion Muslims all over the world, will reinforce their whole-hearted support of the peace process in the fulfilment of their collective desire to see peace and tranquillity return to the area.

In conclusion, I would refer to the draft resolution before the General Assembly today, which contains a fair and judicious approach to the continuation of the peace process in the Middle East. Its adoption by the Assembly will send the correct and timely signal to the area that the international community is not indifferent to the peace process, but rather is most concerned about it and expects and demands a fair and judicious dealing by Israel in that process; which currently should be under way.

The President: We have heard the last speaker on the debate on this item.

We shall now proceed to consider draft resolution A/ES-10/L.1.

Before calling on the first speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats. Having said that, I would like to appeal to all those delegations that will be making explanations of vote before or after the vote that, due to the lateness of the hour, they try to be as brief as possible in the explanations of vote before or after the vote.

I shall now call on the representatives who wish to explain their votes before the voting.

Mr. Peleg (Israel): In my statement yesterday, I emphasized that there can be no substantive or procedural justification for the convening of this emergency special session. I am even more certain of this having read the draft resolution circulated last evening.

The Middle East peace process has no need for another forum to hurl heated and heedless rhetoric or another resolution detached from reality and devoid of even-handedness. The people of that region are looking for solutions and answers. They will not find them in this draft resolution.

Direct negotiations have been and will continue to be the only viable and effective solution to the problems of our region. This is indisputable. Since the convening of the Madrid Peace Conference in 1991, we have achieved dramatic and historical progress. But this was accomplished only when the parties engaged in face-to-face negotiations — sometimes around the clock and for weeks on end — tirelessly seeking agreement through compromise.

While this draft resolution contains many contentious elements, I would like to confine my remarks to one central theme.

At this critical juncture, no resolution regarding the peace process by this or any other body can afford to ignore the acute and pressing problems of terror and violence. This requires more than a passing bland reference buried in the draft resolution generically rejecting terror. It also requires a complete rejection of any incitement to violence. The peace process cannot be sustained unless there is a categorical and unambiguous commitment by all of the parties to prevent and combat terror and violence.

The Palestinian Authority must work resolutely on the ground to root out those known elements that prepare and perpetrate acts of terror. Allow me to emphasize that Israel and the Palestinian Authority know who and where these terrorists are. The stakes are too high for the Palestinian Authority to say one thing and do another.

We were therefore taken aback by the remarks of the Observer of Palestine yesterday from the podium, which called for the Palestinians to take to the streets to protest. Statements such as these are not what we expect of the Palestinians and should be condemned unequivocally by the international community. They have real effects on the ground.

Over the last 24 hours, a number of violent incidents have occurred in the Jerusalem area. An incendiary device was thrown at a bus, rocks were hurled at Israeli vehicles and an Israeli was stabbed in Jerusalem. These incidents all took place, if I may borrow the phrase of the Observer of Palestine, in the streets, while this debate occurred.

The draft resolution before us does not send the right message to the peoples of the region, in particular to the Palestinians. The message must be that the peace process will go forward and that violence and terror are illegitimate and unacceptable. It is for this reason that Israel will vote against the draft resolution and calls on other countries to do the same.

Mr. Seyoum (Eritrea): The State of Eritrea attaches great importance to the issue of peace in the Middle East and has been following developments in that region with keen interest in the past years.

It was the decision of the Israeli Government to build a new settlement in Jabal Abu Ghneim, to the south of East Jerusalem, that brought about the convening of this emergency special session after the matter failed to be resolved in the Security Council Chamber. It is regrettable that this had to happen, but in the conflict between the Israelis and the Palestinians, insecurity in the region goes beyond the dispute over the construction of new settlements. The central issue is the basic principle of the Palestinian people's right to self-determination, which my Government considers crucial to the achievement of peace in the Middle East.

My Government fervently believes in the exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland. It is the conviction of my Government that a just, stable and lasting peace cannot prevail in the Middle East without the realization of this fundamental right.

Any agreement, resolution or continuation of the peace process that does not guarantee this in clear language would serve neither the interests of the Israelis or the Palestinians nor regional security and stability. It is dismaying that past United Nations resolutions pertaining to peace in the Middle East have fallen short of this goal, as does the draft resolution before us today.

The future status of the city of Jerusalem is another matter of great concern that should be looked at in an international context. In this respect, my Government agrees with the recommendation contained in operative paragraph 11 of draft resolution A/ES-10/L.1.

Finally, upon instructions from my Government, the delegation of the State of Eritrea will vote in favour of draft resolution A/ES-10/L.1, on which the tenth emergency special session of the General Assembly is about to take action.

Mr. Albin (Mexico) (*interpretation from Spanish*): The Government of Mexico supported the convening of this emergency special session on the basis of the historical Mexican position of support for the right of each and every State to bring to the attention of the General Assembly all issues of interest to it.

Independently of that fact, it is of concern to us that the Security Council was unable to take a stand on the item currently under consideration. We are here today because of the repeated use of the veto, a privilege that we would like to see abolished, and certainly not granted to any other Members.

The Government of Mexico has resolutely supported the Middle East peace process. Mexico is convinced that dialogue and the peaceful settlement of disputes are, and will always be, a better alternative than violence or confrontation. The building of new settlements by the Israelis in East Jerusalem runs counter to international law and to the relevant resolutions of the Security Council. These activities predetermine and endanger the peace process.

Mexico reiterates once again its condemnation of terrorist acts, which kill and injure innocent people and can never in any way be justified. One of the foundations of the peace process begun at Madrid is the principle of the inadmissibility of the acquisition of territory by force. This fundamental premise of international law has led, in world public opinion, to the expression "land for peace". We recognize the political validity of this phrase, which is in line with the foundations of the peace process. However, we would have preferred that, as the formulation of a legal principle, it be more rigorously worded.

Finally, we call upon the parties to respect the commitments entered into and to re-establish the necessary conditions for reactivating and accelerating the peace process. It is for this reason that my delegation will vote in favour of the draft resolution before us today.

Mr. Holter (Norway): Norway has on several occasions urged the Government of Israel to reconsider its decision to establish a new settlement in Jabal Abu Ghneim/Har Homa, in East Jerusalem. I take this opportunity to reiterate our appeal to the Israeli Government to respect the spirit of the Oslo agreements and not to proceed with unilateral activities which change the facts on the ground and thus pre-empt the outcome of the negotiations on the final status of Jerusalem.

It is also with great concern that we recently have witnessed new terrorist acts against innocent Israeli civilians and a resurgence of violence. Terrorism must be condemned in the strongest possible terms, and it is of vital importance that all necessary efforts be made to

prevent it. The utmost efforts must be made to break this spiral of violence, which could derail the peace process.

Norway remains convinced that the current crisis in the peace process can be solved only by the parties themselves, through direct negotiations, as foreseen in the Oslo agreements. We therefore urge the parties to show restraint and to respect and implement both the letter and the spirit of the agreements, and to work together towards a lasting and comprehensive peace in the Middle East.

While we may not have problems with the main elements in the draft resolution before us, we nonetheless are concerned that its adoption at the present time will not be conducive to the goal which we are all seeking, namely the early resumption of negotiations between the parties, in accordance with the Oslo agreements. Against this background, my delegation will abstain on the draft resolution.

The President: We have heard the last speaker in explanation of vote before the voting. The General Assembly will now take a decision on draft resolution A/ES-10/L.1.

I should like to announce that, since the introduction of the draft resolution, the following countries have become its sponsors: Cambodia and Maldives.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

Israel, Micronesia (Federated States of), United States of America

Abstaining:

Australia, Canada, Germany, Latvia, Liberia, Lithuania, Marshall Islands, Norway, Romania, Rwanda, Uruguay

The draft resolution was adopted by 134 votes to 3, with 11 abstentions (resolution ES-10/2).

The President: Before calling on representatives wishing to speak in explanation of vote, I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The Russian delegation is pleased to acknowledge the excellent work done by the sponsors of the resolution that the General Assembly has just adopted. They took into account proposals and amendments to the original text from a number of delegations, including mine.

In its current form, the resolution seems to us adequately to reflect the seriousness of the situation in the Middle East peace process that came about as a result of the start of construction on a new settlement at Jabal Abu Ghneim in East Jerusalem and other acts by Israel in the occupied Palestinian territories. The Russian delegation therefore voted in favour of the draft resolution.

At the same time, we wish to explain our position on a number of its provisions. Specifically, the reference

in paragraph 11 to internationally guaranteed provisions regarding the status of the Holy Places in Jerusalem has no direct relation to the topic of the resolution. My delegation holds to the premise that the status of the Holy Places in Jerusalem is a subject for Palestinian-Israeli negotiations; for that reason, this "innovation" in the text is a premature provision that must not be seen as imposing a solution to this matter.

Mr. Minoves-Triquell (Andorra), Vice-President, took the Chair.

As regards the expression of concern in the fourteenth preambular paragraph about the activities of armed Israeli settlers and the rejection in operative paragraph 12 of terrorism, we want to stress the need for liaison between the two parties in the area of security and for implementation by the parties of all their commitments under the relevant agreements. In that context we stress the importance of paragraph 10, which urges the parties to do this.

As a co-sponsor of the peace process, Russia also views the reference to Security Council resolution 425 (1978) as somewhat inappropriate in the context of the Madrid conference. At the same time, on the basis of our principles, we support Security Council resolution 425 (1978) as a basis for a settlement between Lebanon and Israel.

We hope that the adoption of today's resolution at this emergency special session of the General Assembly will help create favourable conditions for the resumption of the Middle East peace process and for the earliest possible settlement of pending problems.

Mr. Abou-Hadid (Syrian Arab Republic) (*interpretation from Arabic*): The delegation of the Syrian Arab Republic was a strong supporter of convening the tenth emergency special session of the General Assembly, devoted to a discussion of illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory. My delegation was among the first to inform the Secretary-General of its support for the convening of the session.

Because of its national sense of responsibility, my country continues very strongly to support the inalienable rights of the Palestinian people, including the right of return, the right to self-determination, and the right to the establishment of an independent State on its own territory with East Jerusalem as its capital. We consider that the Palestinian question is at the core of the Israeli-Arab conflict. In that connection, we reaffirm once more our firm support for the Middle East peace process, initiated at Madrid in 1991 on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and on the basis of the principle of land for peace.

Syria remains ready to resume the peace process from the point it had reached in Washington. We believe that the present Israeli Government must respect and implement the commitments and promises undertaken by the previous Israeli Government regarding full withdrawal from the occupied Syrian Golan to the lines of 4 June 1967.

My delegation voted in favour of today's resolution because it believes that the construction and expansion of Israeli settlements in the occupied Arab territories undermines the peace process and jeopardizes the peace and security of the region and of the entire world. We would at the same time like to clarify our position on a number of paragraphs in the resolution.

First, with reference to paragraph 7, my delegation reaffirms that all Israeli settlement activities in the Arab territories occupied since 1967 are illegitimate and must be considered null and void and in violation of the principles of international law.

Turning, secondly, to paragraph 11, we would have preferred the resolution not to include such a vague paragraph on the status of Jerusalem. Owing to the sensitivity of the issue and the importance of the city of Jerusalem, this paragraph distances us from the crux of the matter under discussion and, in fact, takes us in the wrong direction. The status of Jerusalem has been addressed in relevant United Nations resolutions, and we consider that it would have been appropriate to make reference to these.

Thirdly, as for operative paragraph 12, we consider that the inclusion of this paragraph conflicts with the content of the resolution, which focuses on the illegitimacy of Israeli settlement activities in the Arab lands that were occupied by force. These activities contravene the most basic principles and rules of international law. The inclusion of paragraph 12 derails the resolution and has no place in its text.

Mr. Rowe (Australia): Australia has in the past supported and continues to support the principles underlying the resolution which the General Assembly

has just adopted. We also strongly endorse the rejection, contained in the text, of terrorism in all its forms and manifestations.

But Australia's fundamental interest is in the resumption of negotiations between the parties, in order to move further towards a just, enduring and comprehensive peace in the Middle East. Australia considers that there is an urgent need to re-establish trust and confidence between the parties as a prerequisite for progress. We are deeply concerned that the resolution will do nothing to advance the achievement of that result, and we therefore abstained in the voting.

Mr. Henze (Germany): Germany would like to explain its vote by stressing that, from the beginning, it considered the text of the resolution unbalanced. We therefore abstained in the voting. We would like to state, however, that Germany supports the position of the European Union member States concerning Israeli settlements in East Jerusalem.

Mr. Fowler (Canada): Canada abstained in the voting on the resolution entitled "Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory". It is Canada's view that the resolution is not helpful at this critical juncture of the Middle East peace process.

Canada is a strong supporter of and an active participant in the search for a durable and lasting peace in the Middle East. We are, thus, deeply concerned by the current impasse in the negotiating process. It is our view that only through direct dialogue and negotiations can the parties achieve a just, lasting and comprehensive peace in the region.

We oppose any unilateral actions that would prejudge the outcome of these negotiations. We urge Israel to stop settlement activity in East Jerusalem and elsewhere in the occupied territories. In Canada's view, the construction of an Israeli settlement at Har Homa/Jabal Abu Ghneim is a violation of international law and harmful to the peace process. We believe it is incumbent on the parties to honour and fully implement their existing agreements. This commitment must include a determined effort on the part of the Palestinian leadership to combat terrorism.

Mr. Samadi (Islamic Republic of Iran): My delegation voted in favour of resolution ES-10/2. However, while expressing our reservations regarding operative paragraph 11, I would like to say that my delegation's vote in favour of the resolution should not be construed in any way as recognition of Israel.

Mr. Moubarak (Lebanon) (*interpretation from Arabic*): My delegation voted in favour of the resolution and would like to stress the following points.

First, my delegation would have preferred the inclusion in the text of an explicit reference to the Declaration the General Assembly adopted during the fiftieth anniversary of the United Nations reaffirming the right of peoples to resist foreign occupation, in accordance with the United Nations Charter and international law. We also reiterate our condemnation of Israeli terrorism, which is manifest in the ongoing acts of violence committed by Israeli settlers and the Israeli Army throughout occupied Arab territory.

Secondly, we are considering the question of the Israeli occupation and the establishment of settlements, including in Jerusalem. Any such illegal activity should be condemned. True to our consistent policy, we should state that the two parties should negotiate the permanent status of the Holy City in conformity with the principles of the Madrid peace agreement and taking into account the need to ensure full Israeli withdrawal from occupied Arab territory, including Jerusalem.

Thirdly, we wish to reaffirm the ongoing relevance of the peace process agreed to in Madrid, which is based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). We further reaffirm the need for Israel to comply with the Madrid framework and to resume negotiations on all those matters on which negotiations have come to a halt. Israel must respect the principle of land for peace and withdraw from all occupied Arab territories.

Mr. Pérez-Otermin (Uruguay) (*interpretation from Spanish*): At the earlier meeting of the General Assembly, Uruguay stated its position clearly opposing Israel's policy of establishing new settlements in East Jerusalem. On this occasion, Uruguay abstained in the voting on the understanding that, in order to ensure that the peace process will continue, this matter should be left to bilateral negotiations between the two parties.

The Acting President: The Observer of Palestine has asked to speak. In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I call on the Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): On behalf of the Palestinian people and leadership and of the Permanent Observer Mission of Palestine to the United Nations, I should like to convey our sincere thanks and appreciation to all the Member States that supported the convening of this tenth emergency special session of the General Assembly and the resolution just adopted by an overwhelming majority. This confirms once again the international community's firm position.

This session is undeniably of historic importance for us, the Palestinian people and the peace process in the Middle East. It is no exaggeration to say that it is of historic importance for the work of the United Nations in general. We now hope that the new, clear message addressed to Israel, the occupying Power, will help us to achieve our desired objective, in particular the cessation of the illegal Israeli actions and a return of the peace process to its appropriate track. It is our sincere hope that this will occur in spite of the few negative indications and irresponsible comments, which we will not address here.

At any rate, while we hope that the results will be positive, we reaffirm that, should Israel choose the wrong path, we will resort once again to the Security Council and, if necessary, to this emergency special session.

Once again, I reiterate our sincere thanks to the General Assembly. It is our hope that, together, we can contribute to the establishment of a just, lasting and comprehensive peace in the Middle East.

The Acting President: In accordance with the resolution just adopted at the present meeting, the tenth emergency special session of the General Assembly is temporarily adjourned.

The meeting rose at 1.15 p.m.